

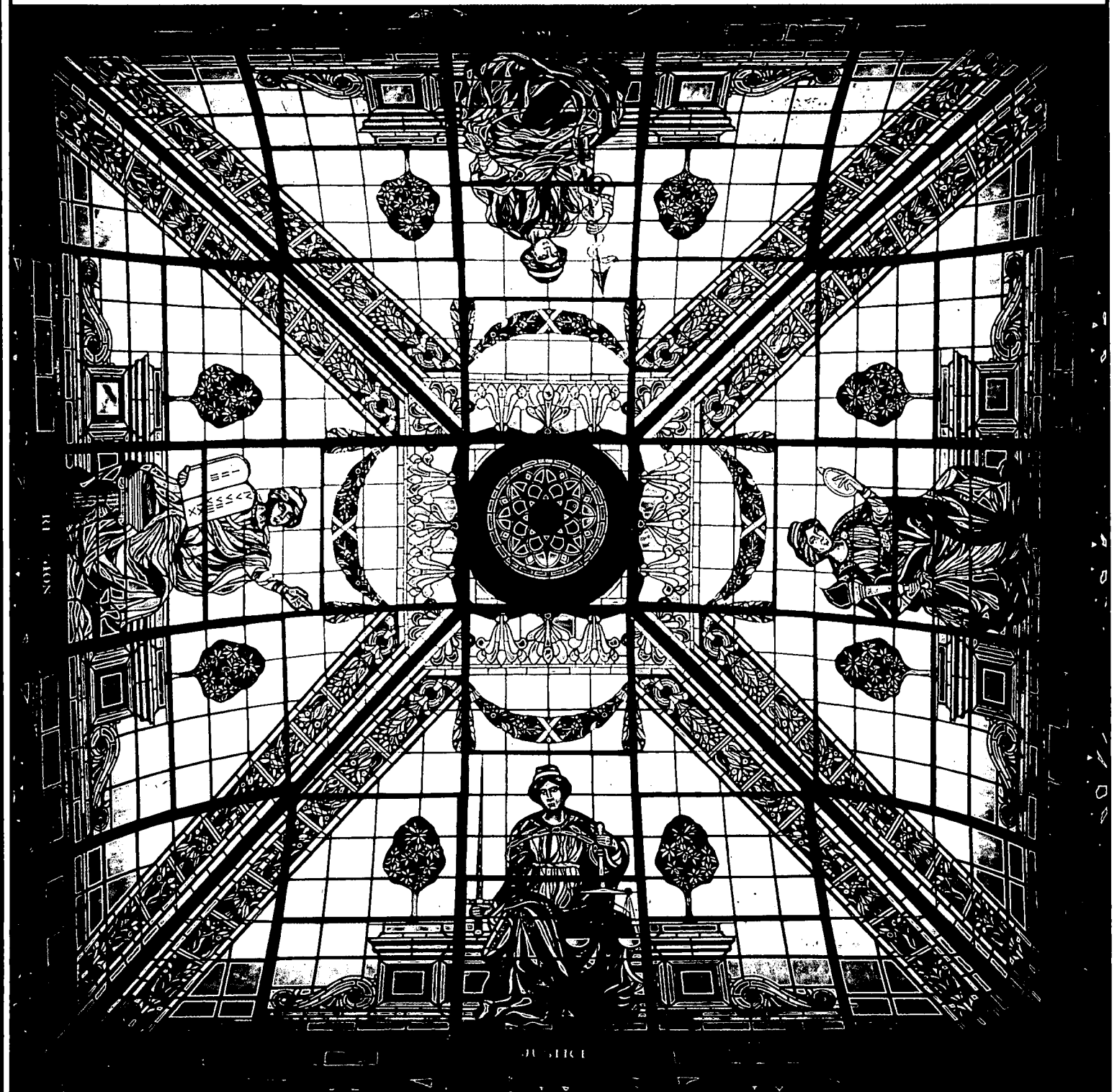
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ANNUAL REPORT

OF THE

MARYLAND JUDICIARY

1987-1988



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ANNUAL REPORT
OF THE
MARYLAND JUDICIARY
1987-1988

Administrative Office of the Courts
Courts of Appeal Building
Post Office Box 431
Annapolis, Maryland 21404
301/974-2141

COVER: Restored Stained Glass Dome,
Clarence M. Mitchell, Jr., Courthouse, Baltimore

Report prepared by the
Administrative Office of the Courts
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Photographs: Courtesy of Maryland Department of Economic and
Employment Development—Office of Tourism Development

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Letter of Transmittal

ADMINISTRATIVE OFFICE OF THE COURTS

COURTS OF APPEAL BUILDING
ANNAPOLIS, MARYLAND 21401
974-2141

STATE COURT ADMINISTRATOR
JAMES H. NORRIS, JR.



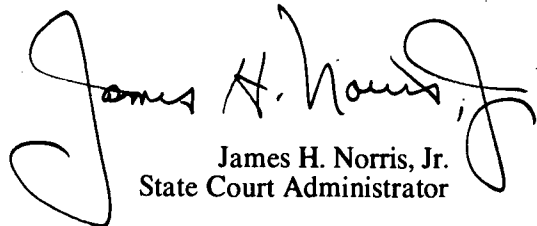
DEPUTY STATE COURT ADMINISTRATOR
ROBERT W. MCKEEVER

September 1, 1988

I am pleased to submit the twelfth *Annual Report of the Maryland Judiciary*, which includes the thirty-third Annual Report of the Administrative Office of the Courts, as required by § 13-101(d)(9) of the Courts Article. The report covers Fiscal Year 1988, beginning July 1, 1987, and ending June 30, 1988.

The report is presented in one volume with the courts and other sections containing the statistical material associated with that section so that each will be self contained. It is hoped that this will provide a ready source of information for an understanding of the structure and operations of the courts of Maryland.

The statistics on which most of the report is based have been provided through the fine efforts of the clerks of the appellate courts, the circuit courts of the counties and Baltimore City and of the District Court of Maryland. My thanks to them and all those whose invaluable assistance has contributed to the preparation of this publication.


James H. Norris, Jr.
State Court Administrator

TTY FOR DEAF: ANNAPOLIS AREA 974-2609
WASHINGTON AREA 588-0450

Introduction



ROBERT C. MURPHY
CHIEF JUDGE
COURT OF APPEALS OF MARYLAND
COURTS OF APPEAL BUILDING
ANNAPOLIS, MARYLAND 21401

September 1, 1988

This twelfth *Annual Report of the Maryland Judiciary* outlines the functions, responsibilities and accomplishments of the judicial department of Maryland. It is prepared so that the members of the executive and legislative branches as well as the public in general may have a better understanding of the operations of the judicial system. It is hoped that with this information we may all join together in a continuing effort for a fully effective justice system.

This report shows that the total filings of the courts have continued to generally increase. However, I can report that the Maryland courts are striving to cope with the large caseloads while never losing sight of their commitment to provide the State with an outstanding judicial system.

I am, as always, grateful to all the judges and supporting staff for their excellent work in keeping our busy courts running smoothly.

A handwritten signature in cursive script, reading "Robert C. Murphy".

Robert C. Murphy
Chief Judge of the
Court of Appeals of Maryland

Judicial Revenues and Expenditures

Judicial Revenues and Expenditures

State and local costs to support the operations of the judicial branch of government were approximately \$135,130,000 in Fiscal 1988. The judicial branch consists of the Court of Appeals; the Court of Special Appeals; the circuit courts; the District Court of Maryland; the clerks' offices and headquarters of the several courts; the Administrative Office of the Courts; the Standing Committee on Rules of Practice and Procedure of the Court of Appeals; the State Board of Law Examiners; the Maryland State Law Library; and the Commission on Judicial Disabilities. There were 220 judicial positions as of June 30, 1988, and approximately 3,116 nonjudicial positions in the judicial branch.

The state-funded judiciary budget operates on a program budget and expended \$73,491,658 in the twelve-month period ending June 30, 1988. The two appellate courts and the clerks' offices are funded by two programs. Another program pays the salaries and official travel costs for the circuit court judges. The largest program is the state-funded District Court which expended \$46,690,338, but brought in general revenue of \$47,790,429 in Fiscal 1988. The Maryland Judicial Conference contains funds for continuing judicial education and Conference activities. Remaining programs provide funds for the Administrative

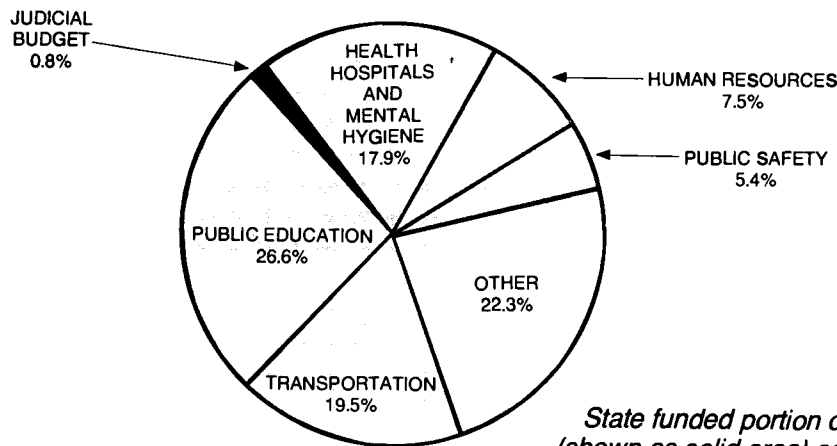
Judicial Branch Personnel in Profile

Judicial Personnel	220
Nonjudicial Personnel	
Court of Appeals	30
Court of Special Appeals	57
District Court	1,099
Administrative Office of the Courts	137
Court-Related Offices	25
(Includes Staff to State Board of Law Examiners, Standing Committee on Rules of Practice and Procedure, State Law Library, and State Reporter)	
Circuit Courts	2
Clerks' Offices—Circuit Courts	1,056
Circuit Courts—Local Funding	<u>710</u>
Total	3,336*

*Includes permanent and contractual positions.



Sailing on the Chesapeake Bay



State Funded Judicial Budget

Revenues*

Program	Actual FY 1986	Actual FY 1987	Actual FY 1988
Court of Appeals	\$ 57,102	\$ 69,218	\$ 68,930
Court of Special Appeals	65,324	64,766	66,587
State Board of Law Examiners	377,754	393,303	399,104
District Court	41,479,118	43,267,460	47,790,429
TOTAL	\$41,979,298	\$43,794,747	\$48,325,050

* Revenues come from filing fees, fines, bail forfeitures and court costs remitted to the State's general fund and are not available to offset expenditures.

Expenditures*

Program	Actual FY 1986	Actual FY 1987	Actual FY 1988
Court of Appeals	\$ 1,708,294	\$ 1,916,858	\$ 1,968,524
Court of Special Appeals	3,049,788	3,501,379	3,531,353
Circuit Courts	11,263,461	12,215,344	13,082,276
District Court	37,684,750	40,945,123	46,690,338
Maryland Judicial Conference	77,167	84,495	70,876
Administrative Office of the Courts	1,427,058	1,555,808	1,487,506
Court-Related Agencies	664,168	736,830	730,141
Maryland State Law Library	426,214	468,759	503,723
Judicial Data Processing	5,766,217	5,535,969	5,426,921
TOTAL	\$52,938,118	\$66,960,565	\$73,491,658

* Expenditures are paid from annual appropriations by the legislature to the judiciary budget.

Office of the Courts, the Maryland State Law Library, Judicial Data Processing, the Standing Committee on Rules of Practice and Procedure, the State Board of Law Examiners, the State Reporter, and the Commission on Judicial Disabilities.

The Attorney Grievance Commission and the Clients' Security Trust Fund are supported by assessments paid by lawyers entitled to practice in Maryland. These supporting funds are not included in the Judicial budget.

The figures and the tables show the state-funded judicial revenue and expenditures for Fiscal 1988. The court-related revenue of almost \$48.4 million is remitted to the State's general fund and cannot be used to offset expenditures.

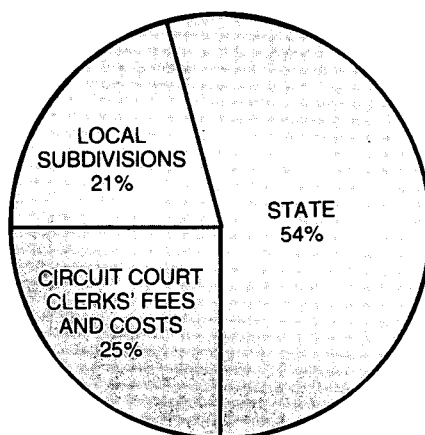
The total state budget was \$9 billion in Fiscal 1988. The illustration reflects that the state-funded judicial budget consumes but a tiny fraction of the entire State budget, approximately 0.8 of one percent.

Effective July 1, 1987, operating costs for the clerks' offices of the circuit courts are paid from State appropriations. Prior to that date, they were paid from filing fees, court costs, commissions, and a deficiency

fund paid by the State. This is no longer the case. All court-related revenue collected by these offices is now remitted to the State general fund and cannot be used to offset expenditures. Expenses for Fiscal 1988 were \$33,238,815.

Other circuit courts are funded locally by Maryland's 23 counties and Baltimore City. In Fiscal 1988, the appropriations by the local subdivisions were approximately \$28.4 million. Court-related revenues collected by the circuit courts from sources other than fines, forfeitures, and appearance fees are minimal. This money comes from such sources as fees and charges in domestic relations matters and service charges in collecting nonsupport. Fines, forfeitures, and certain appearance fees are returned to the subdivisions for various purposes, primarily for the support of the local court library.

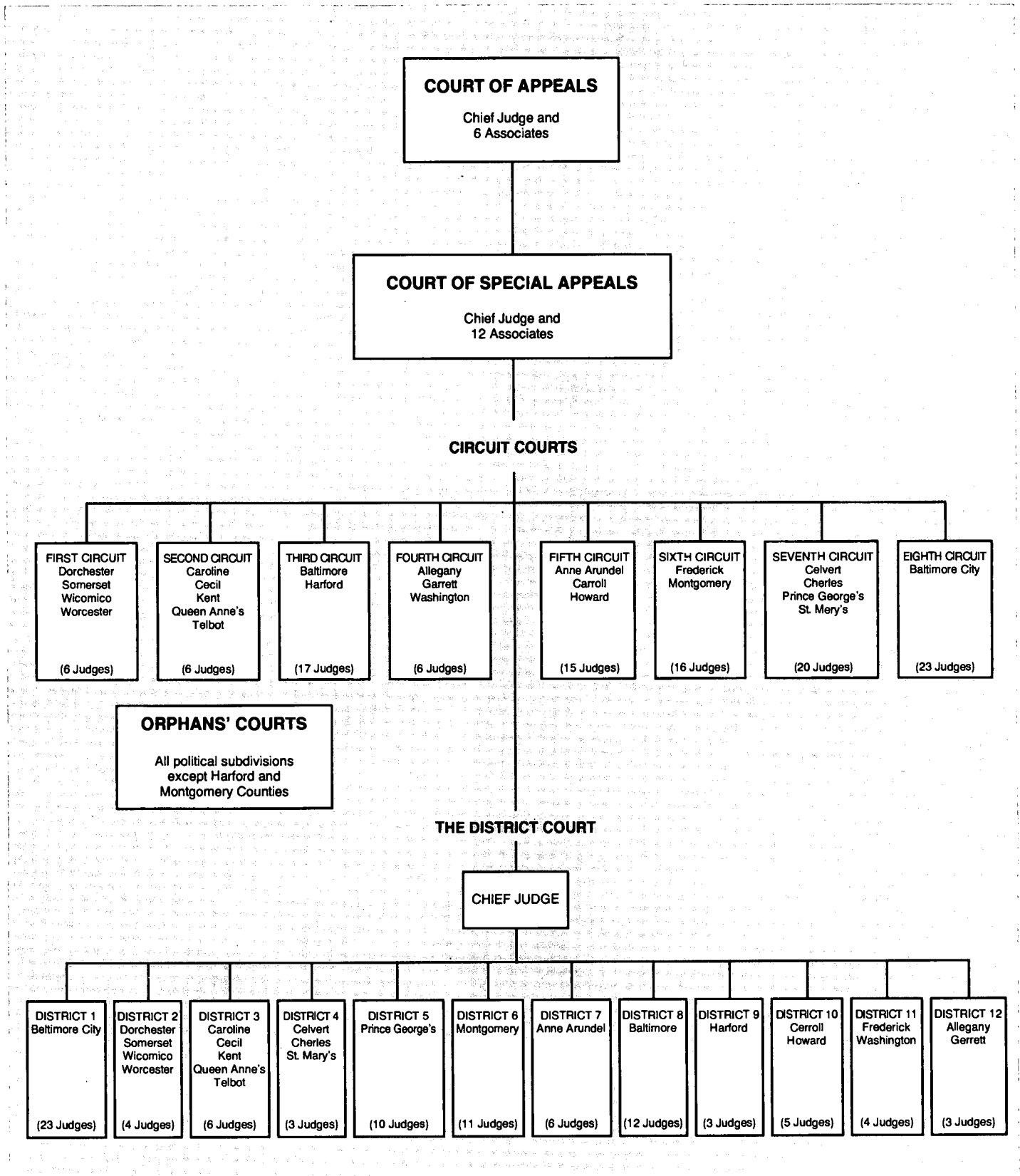
The chart, illustrating the contributions by the State, the clerks' offices, and the local subdivisions to support the judicial branch of government, shows that the State portion accounts for approximately 54% of all costs, while the local subdivisions and the clerks' offices account for 21% and 25%, respectively.



Source of funding to support the judicial branch of government

The Maryland Courts

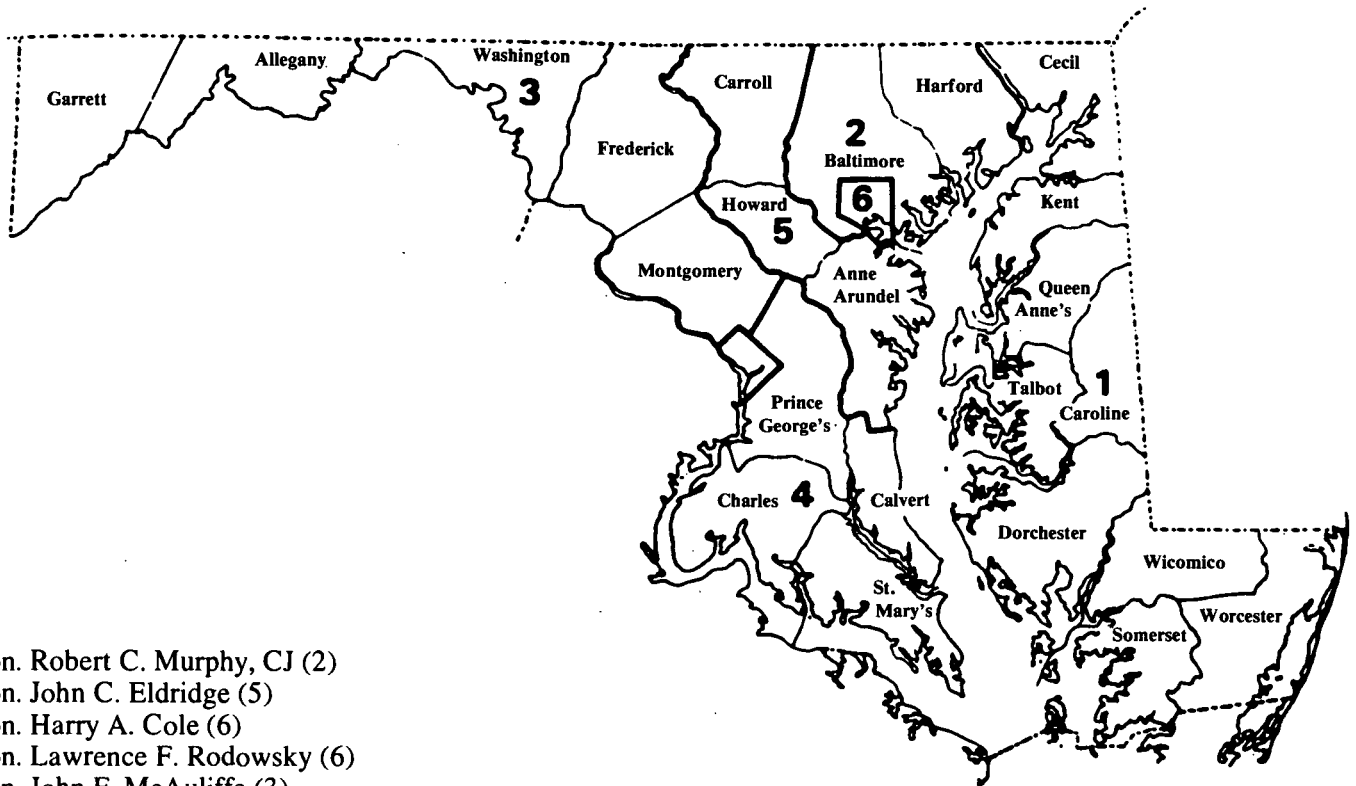
THE MARYLAND JUDICIAL SYSTEM



The Court of Appeals

The Court of Appeals Judicial Map and Members

as of September 1, 1988



Hon. Robert C. Murphy, CJ (2)
Hon. John C. Eldridge (5)
Hon. Harry A. Cole (6)
Hon. Lawrence F. Rodowsky (6)
Hon. John F. McAuliffe (3)
Hon. William H. Adkins, II (1)
Hon. Albert T. Blackwell, Jr. (4)

The Court of Appeals

The Court of Appeals is the highest tribunal in the State of Maryland. It was created by the Constitution of 1776. In the early years of its existence, the Court sat in various locations throughout the State, but since 1851, it has sat only in Annapolis. The Court is composed of seven judges, one from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit (Baltimore City). After initial appointment by the Governor and confirmation by the Senate, members of the Court run for office on their records, unopposed. If a judge's retention in office is rejected by the voters or there is a tie vote, that office becomes vacant and must be filled by a new appointment. Otherwise, the incumbent judge remains in office for a ten-year term. The Chief Judge of the Court of Appeals is designated by the Governor and is the constitutional administrative head of the Maryland judicial system.

As a result of legislation effective January 1, 1975, the Court of Appeals hears cases almost exclusively by way of certiorari, a discretionary review process. That process has resulted in the reduction of the Court's formerly excessive workload to a more manageable level, thus allowing the Court to devote more time to the most important and far-reaching issues.

The Court may review cases already decided by the Court of Special Appeals or bring up for review cases filed in that court before they are decided. In addition, the Court of Appeals has exclusive jurisdiction over appeals in which a sentence of death is imposed. The Court of Appeals may also review cases from the circuit court level if those courts have acted in an appellate capacity with respect to an appeal from the District Court. The Court is empowered to adopt rules of judicial administration, practice, and procedure which will have the force of law. In addition, it admits persons to the practice of law, reviews recommendations of the State Board of Law Examiners and conducts disciplinary proceedings involving members of the bench and bar. The Court of Appeals may also decide questions of law certified by federal and other state appellate courts.

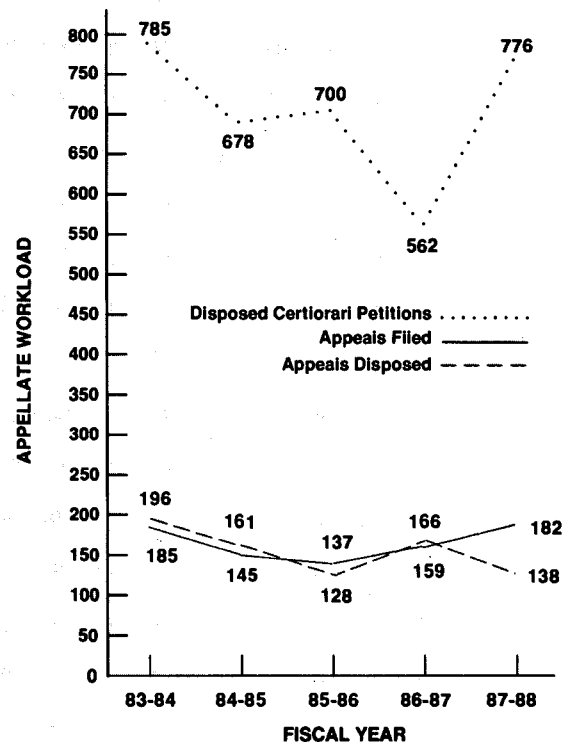
As indicated in Table CA-1, the number of regular docket appeals filed continued its upward trend for the second consecutive fiscal year while the number of regular docket dispositions fluctuated. There was a significant increase in certiorari petition dispositions for Fiscal Year 1988, from 562 in Fiscal Year 1987 to the current level of 776. Total case dispositions also increased for Fiscal 1988.

Filings

Matters filed on the September 1987 docket formed the incoming workload of the Court of Appeals for

TABLE CA-1

COURT OF APPEALS—APPEALS ACTUALLY FILED AND TERMINATED WITHIN FISCAL YEAR



Fiscal Year 1988. Filings received from March 1 through February 29 were entered on the September Term docket for argument during the period from the second Monday in September to the beginning of the next term. Filings are counted by Term, March 1 through February 29, while dispositions are counted by fiscal year, July 1 through June 30, in this report.

The Court docketed a total of 924 filings for the September 1987 Term. Included in the number of total filings were 682 petitions for certiorari; 186 regular cases; 37 attorney discipline proceedings; and 19 miscellaneous appeals of which one was a bar admission proceeding and five were certified questions of law from the United States District Court.

A party may file a petition for certiorari to review any case or proceeding pending in or decided by the Court of Special Appeals upon appeal from the circuit court or an orphan's court. The Court grants those petitions it feels are "desirable and in the public interest." Certiorari may also be granted, under certain

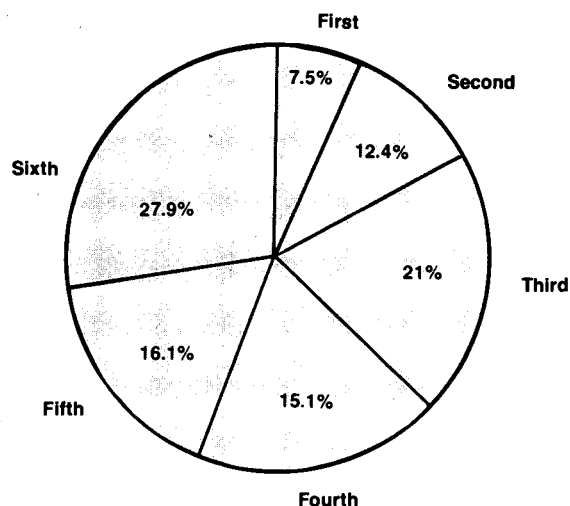
circumstances, to cases that have been appealed to the circuit court from the District Court after initial appeal has been heard in the circuit court. The Court considered 776 petitions for certiorari during Fiscal 1988 of which 140 or 18.0 percent were granted (Table CA-6). Of the 776 petitions considered during Fiscal 1988, 401 (51.7 percent) were civil while the remaining 375 (48.3 percent) were criminal in nature (Table CA-9).

The Court assigns cases to its regular docket after certiorari has been granted. It may also, on its own motions, add cases to its regular docket from cases pending in the Court of Special Appeals. The Court identifies cases suitable for its consideration from a monthly review of appellants' briefs in the Court of Special Appeals.

For the 1987 Term, a total of 186 cases were docketed (Table CA-3). Of that amount, 65 (34.9 percent) were criminal cases while 121 (65.1 percent) were civil which included law, equity, and juvenile cases. Geographically, Baltimore City contributed the greatest number of cases, 52 or 28.0 percent. The four largest counties contributed 88 or 47.3 percent, and the remaining 19 counties contributed 46 or 24.7 percent. Of the four largest counties, Montgomery County contributed the most cases with 31, followed by Prince George's County which contributed 22 cases. Anne Arundel County and Baltimore County contributed 19 and 16 cases, respectively (Table CA-7).

TABLE CA-2

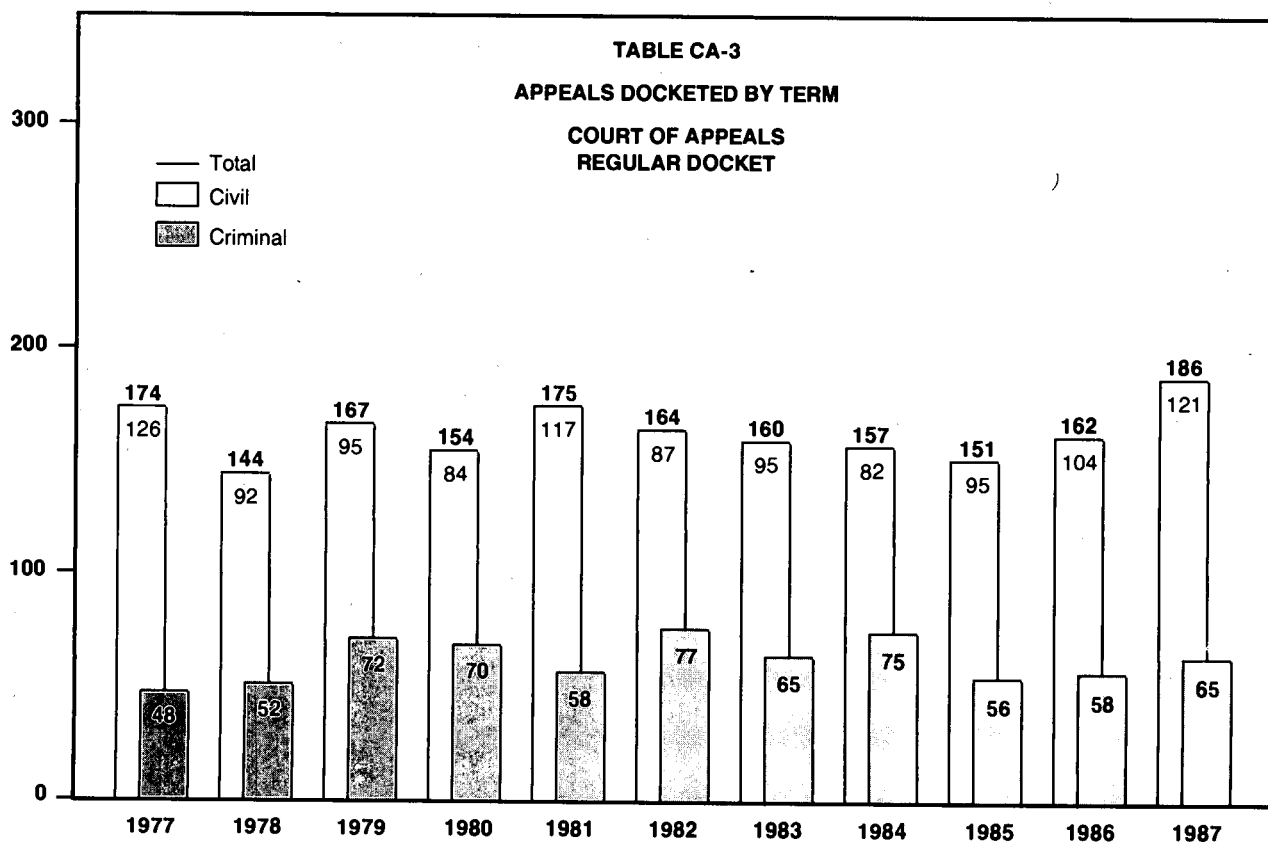
ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS
COURT OF APPEALS
1987 TERM



First Appellate Circuit—14 or 7.5%
Second Appellate Circuit—23 or 12.4%
Third Appellate Circuit—39 or 21%
Fourth Appellate Circuit—28 or 15.1%
Fifth Appellate Circuit—30 or 16.1%
Sixth Appellate Circuit—52 or 27.9%
Total—State—186 or 100%

TABLE CA-3

APPEALS DOCKETED BY TERM
COURT OF APPEALS
REGULAR DOCKET



Dispositions

The Court of Appeals disposed of 959 cases during Fiscal Year 1988. Included in the number of total dispositions were 138 cases from the regular docket; 776 petitions for certiorari; 29 attorney grievance proceedings; and 16 miscellaneous appeals, of which three were bar admissions proceedings and four were certified questions of law (Table CA-4). The Court also admitted 1,278 persons to the practice of law, including 209 attorneys from other jurisdictions.

There were 138 cases disposed of on the regular docket during Fiscal 1988. Of that number, one case was from the 1984 Term; ten were from the 1985 Term; 38 were from the 1986 Term; 88 were from the 1987 Term; and the remaining case was from the 1988 Term. The Court disposed of 76 civil cases (55.1 percent), 58 (42 percent) criminal cases, and four (2.9 percent) juvenile cases. As to the type of disposition, 46 affirmed the lower court's decision, 42 reversed, and 19 were vacated and remanded to the lower court. Ten decisions were affirmed in part and reversed in part, four were dismissed with an opinion while ten were dismissed without an opinion and the remaining seven cases were dismissed prior to argument or submission (Table CA-8).

There was an average time of 3.5 months from the time certiorari was granted to argument of the case. The average case took 7.2 months from argument to final decision and the entire process from the granting of certiorari to the final decision averaged 9.8 months (Table CA-10). During Fiscal 1988, the Court handed down 114 majority opinions of which two were per curiam. There were also ten dissenting opinions and ten concurring opinions filed as well as

one opinion that was dissenting in part and concurring in part.

TABLE CA-4

DISPOSITION OF TOTAL CASELOAD COURT OF APPEALS

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

Regular Docket	138
Petitions for Certiorari	776
Attorney Grievance Proceedings	29
Bar Admissions Proceedings	3
Certified Questions of Law	4
Miscellaneous Appeals	9
Total Dispositions	959

Pending

The Court had 167 cases pending at the close of Fiscal 1988. There were 18 cases from the 1986 Term, 92 from the 1987 Term, and 57 cases from the 1988 Term. The majority of the cases pending from the 1988 Term were added towards the close of Fiscal 1988 and are scheduled to be argued during the September 1988 Term. Of those cases pending, 61.7 percent (103) were civil, 37.1 percent (62) were criminal, and the remaining 1.2 percent (two) were juvenile (Table CA-5).

TABLE CA-5

CASES PENDING COURT OF APPEALS

Regular Docket

June 30, 1988

	Civil	Juvenile	Criminal	Total
Origin				
1986 Docket	8	1	9	18
1987 Docket	62	0	30	92
1988 Docket	33	1	23	57
Total	103	2	62	167

Trends

The Court of Appeals once again surpassed the 850 mark, reporting 924 total filings for the 1987 Term. That trend has been evident since the 1981 Term, when a high of 981 filings was reported during the 1983 Term. The number of petition docket dispositions has fluctuated annually with no discernible trend. They have ranged from a high of 785 in Fiscal Year 1984 to a low of 562 in Fiscal Year 1987. The 776 petition docket dispositions reported for Fiscal 1988 mark the second highest level in the last five years. Also changing from year-to-year are the number of petitions that are granted. They have ranged from a low of 13.3 percent in Fiscal 1985 to a high of 18.5 percent in Fiscal 1987. During Fiscal 1988, 18 percent of

the certiorari petitions were granted.

Because of the nature of the issues confronting society today, the Court will undoubtedly continue to be faced with problems that will involve lengthy and complex litigation. The Court will have to expend extensive time and effort in the disposition of those matters. This has been partially observed in the elapsed time of cases during Fiscal 1988 when the Court averaged 9.8 months from the granting of certiorari petitions to the final decision compared to 8.4 months in Fiscal 1987. Also, there were 167 cases pending at the close of Fiscal 1988 compared to 124 at the close of Fiscal 1987. In the years ahead, it is anticipated that the Court will have continuing demands placed upon its effort to dispose of its workload in a timely fashion.

TABLE CA-6
FIVE-YEAR COMPARATIVE TABLE
PETITIONS FOR CERTIORARI GRANTED
FISCAL 1984—FISCAL 1988

Fiscal Year	Total Dispositions	Number Granted	Percentage
1984	785	136	17.3
1985	678	90	13.3
1986	700	104	14.9
1987	562	104	18.5
1988	776	140	18.0

TABLE CA-7

ORIGIN OF APPEALS BY
APPELLATE JUDICIAL CIRCUITS AND COUNTIES
COURT OF APPEALS

1987 TERM

FIRST APPELLATE CIRCUIT		14
Caroline County	0	
Cecil County	3	
Dorchester County	1	
Kent County	1	
Queen Anne's County	1	
Somerset County	0	
Talbot County	2	
Wicomico County	1	
Worcester County	5	
SECOND APPELLATE CIRCUIT		23
Baltimore County	16	
Harford County	7	
THIRD APPELLATE CIRCUIT		39
Allegany County	1	
Frederick County	2	
Garrett County	0	
Montgomery County	31	
Washington County	5	
FOURTH APPELLATE CIRCUIT		28
Calvert County	2	
Charles County	3	
Prince George's County	22	
St. Mary's County	1	
FIFTH APPELLATE CIRCUIT		30
Anne Arundel County	19	
Carroll County	6	
Howard County	5	
SIXTH APPELLATE CIRCUIT		52
Baltimore City	52	
TOTAL		186

TABLE CA-8
DISPOSITION OF
COURT OF APPEALS CASES

Regular Docket

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Civil	Juvenile	Criminal	Total
Affirmed	23	2	21	46
Reversed	24	0	18	42
Dismissed—Opinion Filed	4	0	0	4
Dismissed Without Opinion	4	0	6	10
Remanded Without Affirmance or Reversal	0	0	0	0
Vacated and Remanded	11	1	7	19
Affirmed in Part, Reversed in Part	4	0	6	10
Dismissed Prior to Argument or Submission	6	1	0	7
Transferred to Court of Special Appeals	0	0	0	0
Rescinded	0	0	0	0
Origin				
1984 Docket	1	0	0	1
1985 Docket	5	0	5	10
1986 Docket	19	1	18	38
1987 Docket	51	3	34	88
1988 Docket	0	0	1	1
Total Cases Disposed During Fiscal 1988	76	4	58	138

TABLE CA-9
PETITION DOCKET DISPOSITIONS*
(Petitions for Certiorari)
JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Granted	Dismissed	Denied	Withdrawn	Total
PETITIONS	140	6	628	2	776
Civil	84	5	311	1	401
Criminal	56	1	317	1	375

*672 filed in Fiscal 1988.

TABLE CA-10
AVERAGE TIME INTERVALS FOR CASES
DISPOSED BY COURT OF APPEALS
Regular Docket
JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Certiorari Granted to Argument or to Disposition Without Argument ^a	Argument to Decision ^b	Certiorari Granted to Decision ^a
Days	104	217	295
Months	3.5	7.2	9.8
Number of Cases	138	123	138

^aIncludes all cases disposed in Fiscal 1988.

^bIncludes all cases disposed in Fiscal 1988 which were argued.

TABLE CA-11
FIVE-YEAR COMPARATIVE TABLE
AVERAGE TIME INTERVALS
FOR FILING OF APPEALS ON THE REGULAR DOCKET
COURT OF APPEALS
(in Days and Months)

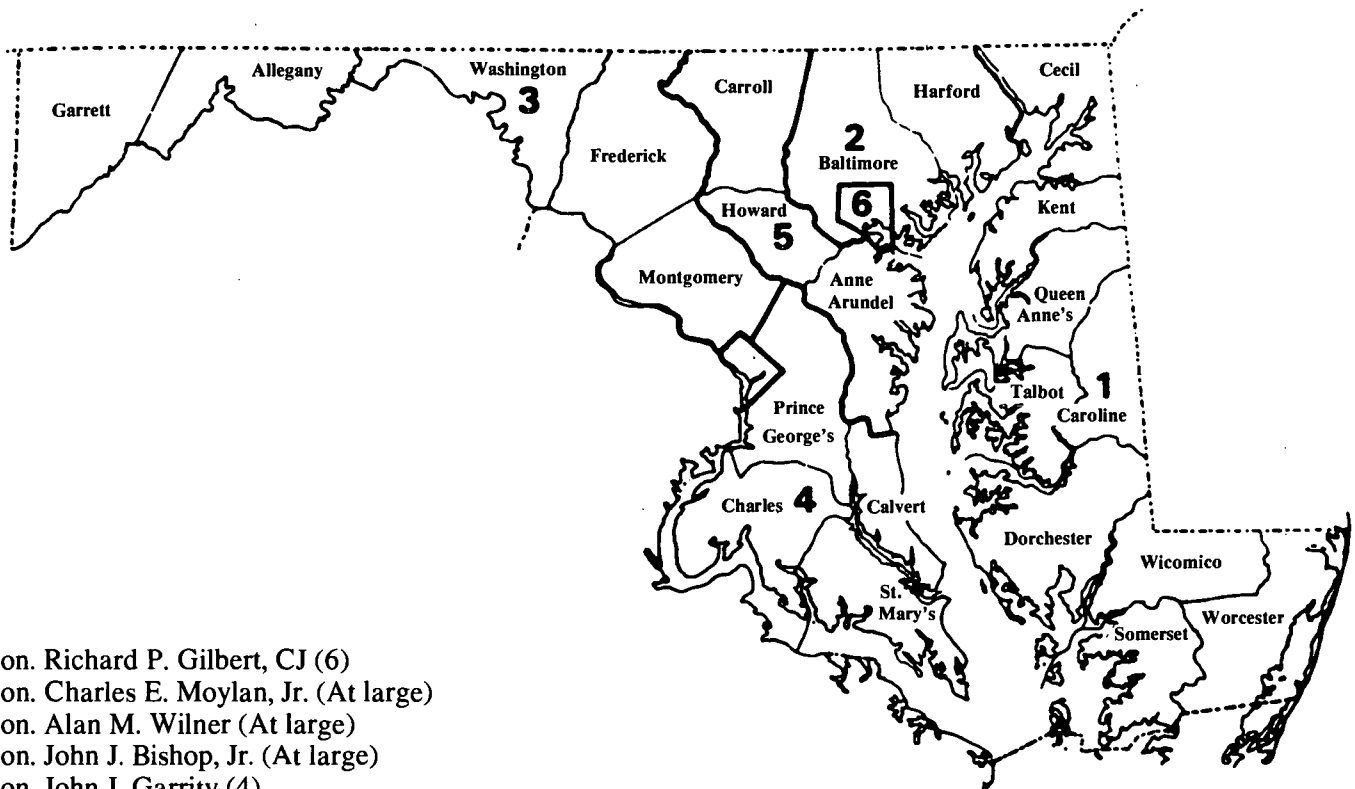
Docket	Original Filing to Disposition in Circuit Court	Disposition in Circuit Court to Docketing in Court of Appeals
1983	354 11.8	125 4.2
1984	349 11.6	102 3.4
1985	303 10.1	124 4.1
1986	357 11.9	128 4.3
1987	356 11.9	135 4.5

The Court of Special Appeals

The Court of Special Appeals

Judicial Map and Members

as of September 1, 1988



Hon. Richard P. Gilbert, CJ (6)
 Hon. Charles E. Moylan, Jr. (At large)
 Hon. Alan M. Wilner (At large)
 Hon. John J. Bishop, Jr. (At large)
 Hon. John J. Garrity (4)
 Hon. Paul E. Alpert (2)
 Hon. Theodore G. Bloom (5)
 Hon. Rosalyn B. Bell (At large)
 Hon. Robert L. Karwacki (At large)
 Hon. Robert M. Bell (6)
 Hon. William W. Wenner (3)
 Hon. Richard M. Pollitt (1)
 Vacancy (At large)

The Court of Special Appeals

The Court of Special Appeals was created in 1966 as Maryland's intermediate appellate court. Its creation was the result of a rapidly growing caseload in the Court of Appeals which had caused a substantial backlog to develop in that Court.

The Court of Special Appeals sits in Annapolis and is composed of thirteen members, including a chief judge and twelve associates. One member of the Court is elected from each of the first five Appellate Judicial Circuits while two members are elected from the Sixth Appellate Judicial Circuit (Baltimore City). The remaining six members are elected from the State at large. As in the Court of Appeals, members of the Court of Special Appeals are appointed by the Governor and confirmed by the Senate. They also run on their records without opposition for ten-year terms. The Governor designates the Chief Judge of the Court of Special Appeals.

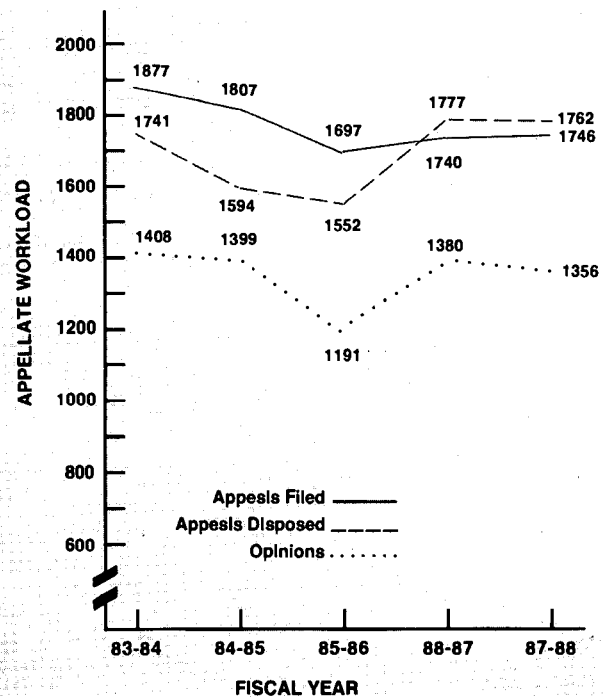
Unless otherwise provided by law, the Court of Special Appeals has exclusive initial appellate jurisdiction over any reviewable judgment, decree, order or other action of a circuit court and generally hears cases appealed directly from the circuit courts. The judges of the Court are empowered to sit in panels of three. A hearing or rehearing before the Court en banc may be ordered in any case by a majority of the incumbent judges of the Court. The Court also considers applications for leave to appeal in such areas as post conviction, habeas corpus matters involving denial of or excessive bail, inmate grievances, and appeals from criminal guilty pleas.

Filings

The September 1987 Term docket formed the major portion of the incoming workload of the Court of Special Appeals for Fiscal Year 1988. As in the Court of Appeals, filings received from March 1 through February 29 were entered on the September Term docket for argument beginning the second Monday in September and ending the last of June. In the *Annual Report*, filings are counted by Term, March 1 through February 29, and dispositions are counted by fiscal year, July 1 through June 30.

The Court of Special Appeals received 1,754 filings on its regular docket during the 1987 Term, an increase of 2.3 percent over the previous term. A slight majority of the filings, 892 or 50.9 percent, were comprised of civil cases while the remaining 862 or 49.1 percent were of a criminal nature (Table CSA-2). The increase in regular docket filings can be attributed for the most part to the 3.2 percent increase in criminal filings. Criminal filings have risen steadily over the past four terms. That increase came just two years after the

TABLE CSA-1
COURT OF SPECIAL APPEALS
APPEALS ACTUALLY FILED AND
TERMINATED WITHIN FISCAL YEAR



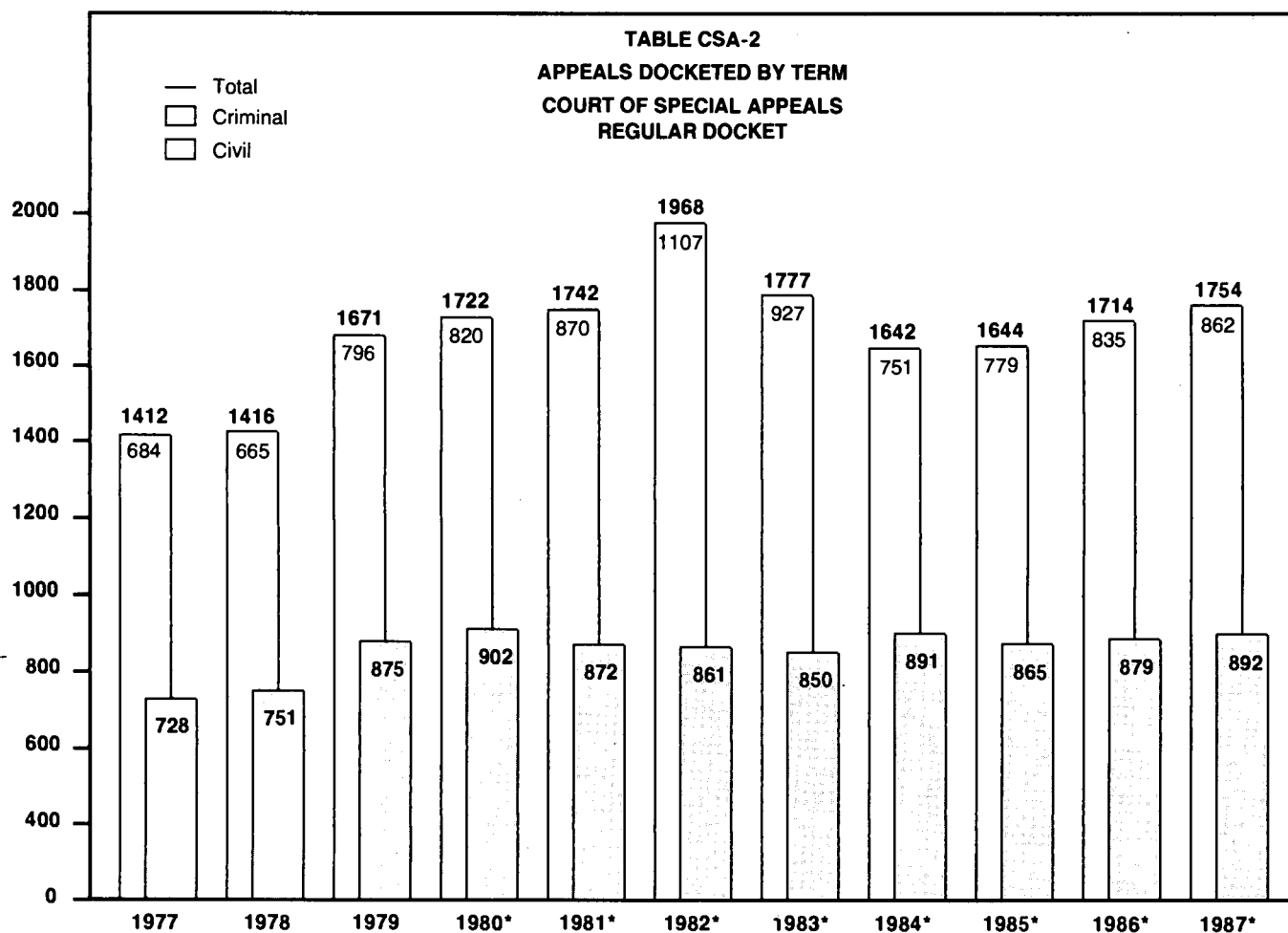
adoption of § 12-302 of the Courts Article and Maryland Rule 1096 which became effective July 1, 1983. Those provisions removed the right of direct appeal in criminal cases where a guilty plea was entered. An application for leave to appeal must now be filed in those instances and it is then at the discretion of the Court whether or not to place the case on the regular docket (Table CSA-5). Although criminal cases have risen steadily, they still have not reached the level of the September 1982 Term which was the year before automatic review of guilty pleas was changed.

In an attempt to manage the civil workload, the Court of Special Appeals has used the procedure of prehearing conferences which allows for the identification of cases suitable for resolution by the parties. An information report, which is a summarization of the case below and the action taken by the circuit court, is filed in each civil case where an appeal

has been noted. The Court received a total of 1,042 information reports during the September 1987 Term which represents a slight decrease of 1.9 percent from the previous term. There were 327 (31.4 percent) information reports assigned for prehearing conference during the 1987 Term compared to 50 percent and 62 percent assigned during the previous two terms, respectively (Table CSA-3). As a result of the prehearing conferences, 179 (54.7 percent) cases proceeded without limitation of issues while three (1.0 percent) cases had their issues limited. There were 96 (29.4 percent) cases dismissed or settled as a result of the prehearing conferences. Thirty-two (9.8 percent) cases were dismissed or remanded after the conferences and eleven (3.3 percent) cases proceeded with their appeals expedited. Six (1.8 percent) cases were pending at the close of the term awaiting prehearing conferences (Table CSA-4).

Again this year, Baltimore City contributed the greatest number of cases docketed in the Court of

Special Appeals with 417 or 23.8 percent. The four largest counties contributed 49.3 percent (864) of the total appeals docketed on the regular docket during the 1987 Term. Of the four largest counties, the greatest number of cases were received from Montgomery County, 277 or 15.8 percent, followed by Prince George's County with 244 (13.9 percent). Baltimore and Anne Arundel Counties contributed 216 (12.3 percent) and 127 (7.2 percent), respectively (Table CSA-7). The First Appellate Circuit, which is comprised of the entire Eastern Shore, contributed the least number of collective appeals with 167 or 9.5 percent. The greatest number was received from the Sixth Appellate Circuit comprising only Baltimore City (Table CSA-8). Thirteen percent of the trials conducted in circuit courts during Fiscal Year 1987 were docketed on the regular docket for the 1987 Term in the Court of Special Appeals. That ratio compares to 14 percent during the 1986 Term and 15 percent during the 1985 Term.



*Does not include civil notices of appeal which were filed in the Clerks' Office pursuant to Maryland Rules 1022-1024. These appeals were either scheduled for prehearing conference or proceeded through the regular appellate process as stipulated in Maryland Rule 1024 a.1. Cases finally disposed of by prehearing conference are never placed on the regular docket or listed as filings. Cases not finally disposed of by this process will be placed on subsequent dockets and will then be included among filings.

TABLE CSA-3
PREHEARING CONFERENCE REPORTS
COURT OF SPECIAL APPEALS

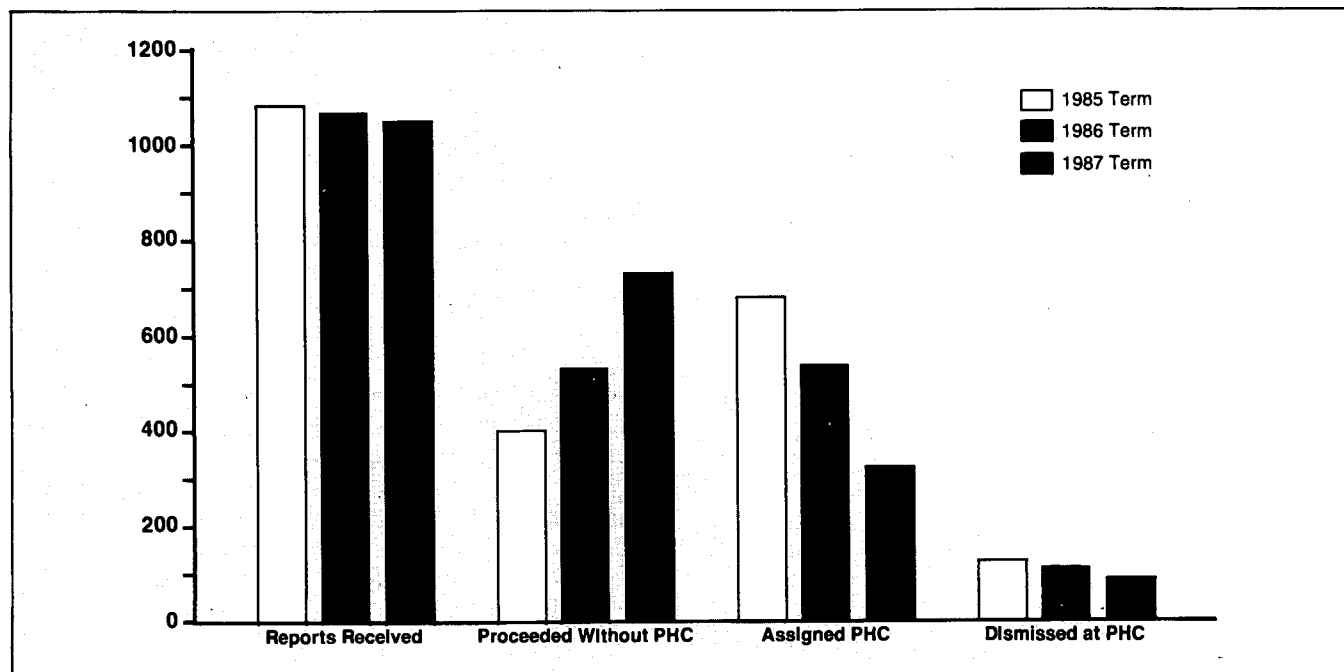
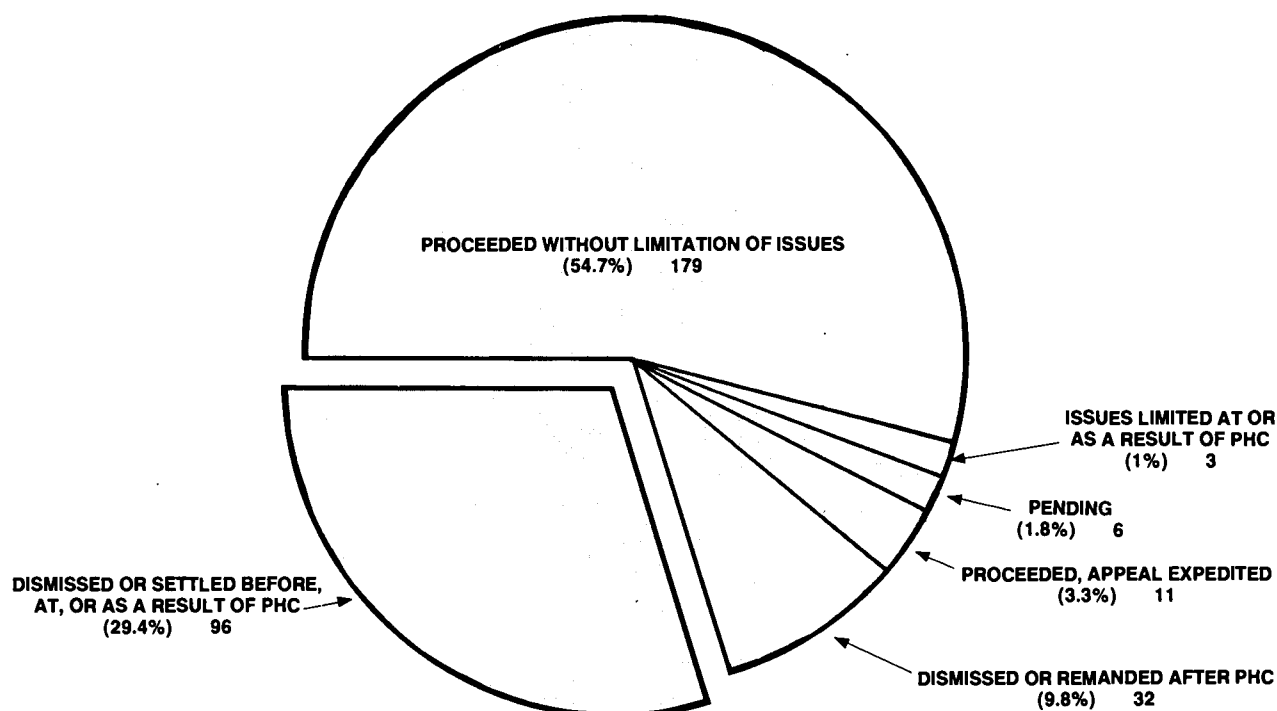


TABLE CSA-4
DISPOSITION OF INFORMATION REPORTS ASSIGNED FOR
PREHEARING CONFERENCE — 1987 TERM



Dispositions

The Court of Special Appeals disposed of 1,762 cases on its regular docket during Fiscal Year 1988, a slight decrease of 0.8 percent from the 1,777 cases disposed of in Fiscal Year 1987. The Court disposed of 106 cases from the 1986 Docket, 1,568 from the 1987 Docket, and 88 cases from the 1988 Docket. Included in the dispositions were 833 (47.3 percent) civil cases, 891 (50.6 percent) criminal cases, and 38 (2.1 percent) cases that were juvenile in nature (Table CSA-10).

The Court affirmed 54.2 percent of the decisions of the lower court during Fiscal Year 1988. Criminal cases accounted for the greatest number of affirmances with 593 (62.1 percent), followed by civil cases, 343 (35.9 percent), and juvenile cases with 19 or 2.0 percent. Overall, criminal cases had the highest rate of affirmances, 66.6 percent or 593 out of 891 cases. Juvenile cases followed with 50 percent (19/38) and civil cases with a rate of 41.2 percent (343/833). There were only 175 cases (9.9 percent) in which the Court reversed the decision of the lower court. There were also 110 decisions (6.2 percent) that affirmed in part and reversed in part the decision of the lower court. The Court dismissed 367 cases prior to argument or submission. Table CSA-10 provides a further breakdown of case disposition.

There were 220 case dispositions on the Court's miscellaneous docket. That includes 121 post conviction cases, 11 inmate grievance cases, and 88 "other" miscellaneous cases which included habeas corpus/bail cases, motions for stay of execution of order pending appeal, and appeals from criminal guilty pleas. The Court granted 22 applications for leave to appeal while denying 180. It also dismissed or transferred 15 applications for leave to appeal and remanded another three cases (Table CSA-5).

During Fiscal Year 1988, it took an average of 4.2 months from docketing to argument or to disposition without argument, and another 0.9 month from argument to decision (Table CSA-11). The average time from the original filing to disposition in the court below was 13.0 months and from disposition in the circuit court to docketing in the Court of Special Appeals was 3.6 months (Table CSA-12). Those time intervals are consistent with the elapsed time data from previous years.

The Court handed down 1,332 majority opinions during Fiscal Year 1988. Of that amount, there were 1,102 unreported and 230 reported opinions. There were also 20 dissenting, two concurring, and two concurring and dissenting opinions filed.

TABLE CSA-5

**DISPOSITION OF APPLICATIONS FOR LEAVE TO APPEAL
AND OTHER MISCELLANEOUS CASES**

**JULY 1, 1987—JUNE 30, 1988
FISCAL 1988**

	Granted	Dismissed or Transferred	Denied	Remanded	Total
Post Conviction	9	8	102	2	121
Inmate Grievance	1	1	9	0	11
Other Miscellaneous*	12	6	69	1	88
TOTALS	22	15	180	3	220

*Includes habeas corpus/bail cases, motions for stay of execution of order pending appeal, and appeals from criminal guilty pleas.

NOTE: Counts one outcome per case. Does not include reconsiderations of cases disposed in prior fiscal years or return of remanded cases.

Pending

At the close of Fiscal Year 1988, there were 617 cases pending in the Court of Special Appeals on its regular docket. That figure included one case from each of the 1985 and 1986 Dockets, as well as 107 cases from the 1987 Docket and 508 cases from the 1988

Docket. The cases pending from the 1987 Docket were generally argued by the end of Fiscal 1988 and are awaiting opinions, while those pending from the 1988 Docket are being scheduled for argument during the current term (Table CSA-6).

TABLE CSA-6
PENDING CASES
COURT OF SPECIAL APPEALS

Regular Docket
June 30, 1988

	Civil	Juvenile	Criminal	Total
Origin				
1985 Docket	1	0	0	1
1986 Docket	1	0	0	1
1987 Docket	60	2	45	107
1988 Docket	220	10	278	508
Total Cases Pending at Close of Fiscal 1988	282	12	323	617*

*Includes pending cases to be heard in September Term 1988.

Trends

The workload of the Court of Special Appeals continues to experience increases both in the criminal and civil areas. There was a dramatic increase from the 1979 Term when there were 1,671 appeals docketed to the 1982 Term when 1,968 appeals were docketed. The increase was directly attributable to the increase in criminal filings which rose over 66 percent between the 1978 (665 criminal appeals) and 1982 (1,107 criminal appeals) Terms (Table CSA-2). The number of appeals did not show a decrease until the 1983 Term when 1,777 appeals were docketed. It appeared that the number of criminal appeals had stabilized during the 1984 and 1985 Terms when there were 751 and 779 criminal appeals, respectively, reported. However, during the 1986 Term, the number of criminal appeals (835) increased by 7.2 percent, thus attributing to the overall increase in regular docket appeals. During the past term, criminal filings rose 3.2 percent.

The initial decrease in criminal filings was attributable to a law enacted in 1983 (Chapter 295 of the 1983 Acts), which allows cases involving a review of judgment following a plea of guilty to be treated as a discretionary appeal rather than an appeal as a matter of right. Individuals appealing from a guilty plea must first file an application for leave to appeal. If granted, the appeal is transferred to the regular

docket. Although this process helped to manage the number of regular docket appeals, it resulted in the initial increase in the number of applications for leave to appeal. There were 128 applications for leave to appeal and other miscellaneous appeals disposed of by the Court during Fiscal 1983 compared to 308 during Fiscal 1984. Like the criminal appeals, the number of applications for leave to appeal appeared to have stabilized during Fiscal Years 1985 and 1986 when 192 and 185 applications were disposed. However, during Fiscal 1987, the number of disposed applications (294) was back to the Fiscal 1984 level. In Fiscal 1988, 220 applications were terminated.

In an effort to keep current with its expanding workload, the Court has continued several innovative programs. There was an expedited appeal process initiated to aid the Court and the litigants in identifying and processing cases in a more rapid manner (see Maryland Rule 1029). The Court of Special Appeals has also continued to use the prehearing conference procedure in an attempt to curtail the number of civil cases. The primary objective is to either settle the cases or limit the issues prior to final preparation of the case on appeal. This technique appears to have been very effective. If the current trend continues, the Court of Special Appeals may anticipate an increase in the number of overall filings, which may be related to a steady increase in criminal cases.

TABLE CSA-7

**ORIGIN OF APPEALS BY
APPELLATE JUDICIAL CIRCUITS AND COUNTIES
COURT OF SPECIAL APPEALS**

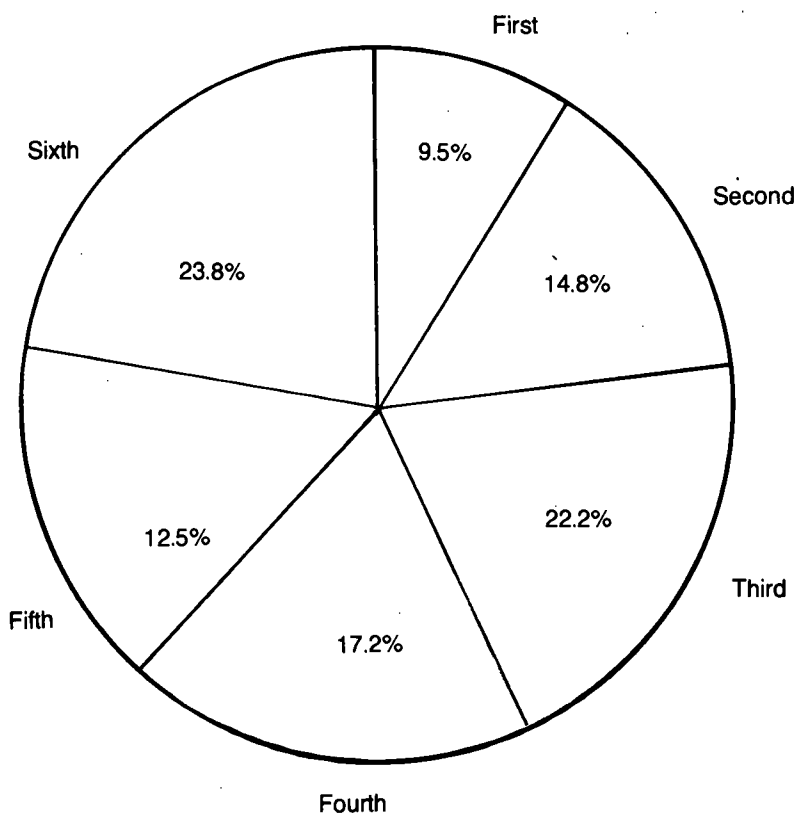
Regular Docket

1987 Term

FIRST APPELLATE CIRCUIT		167
Caroline County	23	
Cecil County	30	
Dorchester County	11	
Kent County	12	
Queen Anne's County	5	
Somerset County	6	
Talbot County	21	
Wicomico County	34	
Worcester County	25	
SECOND APPELLATE CIRCUIT		260
Baltimore County	216	
Harford County	44	
THIRD APPELLATE CIRCUIT		390
Allegany County	27	
Frederick County	21	
Garrett County	12	
Montgomery County	277	
Washington County	53	
FOURTH APPELLATE CIRCUIT		301
Calvert County	23	
Charles County	20	
Prince George's County	244	
St. Mary's County	14	
FIFTH APPELLATE CIRCUIT		219
Anne Arundel County	127	
Carroll County	41	
Howard County	51	
SIXTH APPELLATE CIRCUIT		417
Baltimore City	417	
TOTAL		1,754

TABLE CSA-8
ORIGIN OF APPEALS BY
APPELLATE JUDICIAL CIRCUITS
COURT OF SPECIAL APPEALS

1987 TERM
REGULAR DOCKET



First Appellate Circuit—167 or 9.5%
Second Appellate Circuit—260 or 14.8%
Third Appellate Circuit—390 or 22.2%
Fourth Appellate Circuit—301 or 17.2%
Fifth Appellate Circuit—219 or 12.5%
Sixth Appellate Circuit—417 or 23.8%
Total—State—1,754 or 100%

TABLE CSA-9

**RELATIONSHIP BETWEEN COURT OF SPECIAL APPEALS
FILINGS ON 1987 REGULAR DOCKET
AND CIRCUIT COURT TRIALS IN FISCAL 1987**

Jurisdiction	Court of Special Appeals 1987 Regular Docket	Circuit Court Fiscal 1987 Trials	Ratio of Appeals to Trials
Kent County	12	16	.75
St. Mary's County	14	33	.42
Carroll County	41	127	.32
Washington County	53	199	.27
Baltimore County	216	800	.27
Queen Anne's County	5	21	.24
Baltimore City	417	1,855	.22
Montgomery County	277	1,755	.16
Calvert County	23	143	.16
Anne Arundel County	127	888	.14
Allegany County	27	191	.14
Howard County	51	363	.14
Wicomico County	34	281	.12
Garrett County	12	104	.12
Talbot County	21	183	.11
Caroline County	23	214	.11
Harford County	44	505	.09
Dorchester County	11	131	.08
Prince George's County	244	3,261	.07
Somerset County	6	91	.07
Cecil County	30	485	.06
Frederick County	21	351	.06
Charles County	20	444	.05
Worcester County	25	562	.04
TOTAL	1,754	13,003	.13

TABLE CSA-10

CASES DISPOSED BY
COURT OF SPECIAL APPEALS

Regular Docket

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Civil	Juvenile	Criminal	Total
Affirmed	343	19	593	955
Reversed	96	2	77	175
Dismissed—Opinion Filed	35	0	5	40
Dismissed Without Opinion	0	0	1	1
Remanded Without Affirmance or Reversal	6	2	4	12
Vacated and Remanded	35	1	13	49
Affirmed in Part, Reversed in Part	43	1	66	110
Dismissed Prior to Argument or Submission	227	13	127	367
Transferred to Court of Appeals	48	0	5	53
Origin				
1986 Docket	48	2	56	106
1987 Docket	731	36	801	1,568
1988 Docket	54	0	34	88
Total Cases Disposed During Fiscal 1988	833	38	891	1,762

TABLE CSA-11

**AVERAGE TIME INTERVALS FOR
CASES DISPOSED BY
COURT OF SPECIAL APPEALS**

Regular Docket

**JULY 1, 1987—JUNE 30, 1988
FISCAL 1988**

	Docketing to Argument or to Disposition Without Argument^a	Argument to Decision^b
Days	125.1	28.0
Months	4.2	0.9
Number of Cases	1,762	1,333

^aIncludes all cases disposed in Fiscal 1988.

^bIncludes all cases disposed in Fiscal 1988 which were argued.

TABLE CSA-12

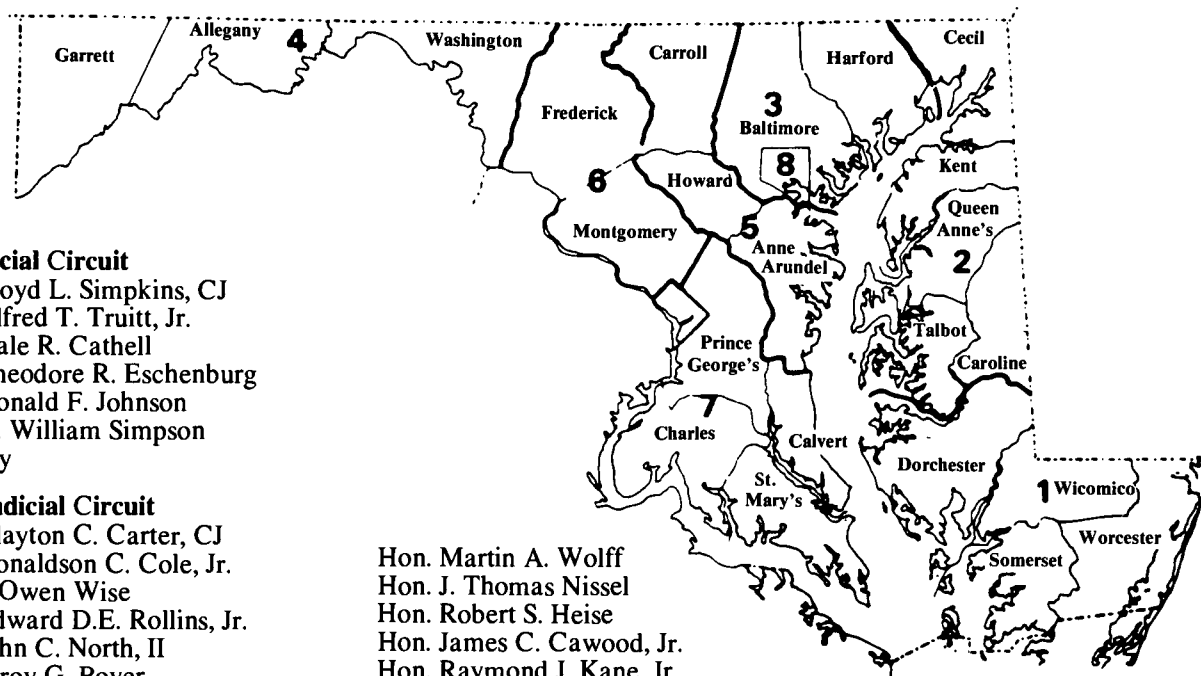
**FIVE-YEAR COMPARATIVE TABLE
AVERAGE TIME INTERVALS
FOR FILING OF APPEALS ON THE REGULAR DOCKET
COURT OF SPECIAL APPEALS**

(In Days and Months)

Docket	Original Filing to Disposition in Court Below	Disposition in Circuit Court to Docketing In Court of Special Appeals
1983	392 13.1	115 3.8
1984	402 13.4	126 4.2
1985	389 13.0	121 4.0
1986	375 12.5	115 3.8
1987	391 13.0	108 3.6

The Circuit Courts

The Circuit Courts — Judiciary Map and Members as of September 1, 1988



First Judicial Circuit

*Hon. Lloyd L. Simpkins, CJ
Hon. Alfred T. Truitt, Jr.
Hon. Dale R. Cathell
Hon. Theodore R. Eschenburg
Hon. Donald F. Johnson
Hon. D. William Simpson
Vacancy

Second Judicial Circuit

Hon. Clayton C. Carter, CJ
Hon. Donaldson C. Cole, Jr.
*Hon. J. Owen Wise
Hon. Edward D.E. Rollins, Jr.
Hon. John C. North, II
Hon. Elroy G. Boyer

Third Judicial Circuit

*Hon. Frank E. Cicone, CJ
Hon. Edward A. DeWaters, Jr.
Hon. William R. Buchanan, Sr.
Hon. J. William Hinkel
Hon. John F. Fader, II
Hon. Cybert O. Whitfill
Hon. A. Owen Hennegan
Hon. Leonard S. Jacobson
Hon. William O. Carr
Hon. Joseph F. Murphy, Jr.
Hon. William M. Nickerson
Hon. James T. Smith, Jr.
Hon. Dana M. Levitz
Hon. John G. Turnbull, II
Hon. Maurice W. Baldwin, Jr.
Hon. Stephen M. Waldron
Vacancy
Vacancy

Fourth Judicial Circuit

Hon. Frederick A. Thayer, III, CJ
Hon. John P. Corderman
*Hon. Frederick C. Wright, III
Hon. J. Frederick Sharer
Hon. Daniel W. Moylan
Hon. Gary G. Leasure

Fifth Judicial Circuit

Hon. Bruce C. Williams, CJ
*Hon. Raymond G. Thieme, Jr.
Hon. Robert F. Fischer
Hon. Donald J. Gilmore
Hon. H. Chester Goudy, Jr.
Hon. Luke K. Burns, Jr.
Hon. Eugene M. Lerner

Hon. Martin A. Wolff
Hon. J. Thomas Nissel
Hon. Robert S. Heise
Hon. James C. Cawood, Jr.
Hon. Raymond J. Kane, Jr.
Hon. Robert H. Heller, Jr.
Hon. Cornelius F. Sybert, Jr.
Vacancy

Sixth Judicial Circuit

*Hon. John J. Mitchell, CJ
Hon. Stanley B. Frosh
Hon. William M. Cave
Hon. Calvin R. Sanders
Hon. James S. McAuliffe, Jr.
Hon. Irma S. Raker
Hon. William C. Miller
Hon. L. Leonard Ruben
Hon. DeLawrence Beard
Hon. Clater W. Smith, Jr.
Hon. G. Edward Dwyer, Jr.
Hon. Peter J. Messitte
Hon. J. James McKenna
Hon. Mary Ann Stepler
Hon. Paul H. Weinstein
Hon. Vincent E. Ferretti, Jr.

Seventh Judicial Circuit

*Hon. Ernest A. Loveless, Jr., CJ
Hon. William H. McCullough
Hon. Jacob S. Levin
Hon. George W. Bowling
Hon. Robert J. Woods
Hon. Howard S. Chasanow
Hon. Vincent J. Femia
Hon. Robert H. Mason
Hon. Audrey E. Melbourne
Hon. David Gray Ross
Hon. James M. Rea
Hon. Richard J. Clark
Hon. Arthur M. Ahalt
Hon. G.R. Hovey Johnson

Hon. Joseph S. Casula
Hon. Darlene G. Perry
Hon. John H. Briscoe
Hon. Graydon S. McKee, III
Hon. Thomas A. Rymer
Hon. William D. Missouri
Vacancy
Vacancy

Eighth Judicial Circuit

Hon. Robert I.H. Hammerman, CJ
Hon. David Ross
Hon. Mary Arabian
*Hon. Joseph H.H. Kaplan
Hon. Edgar P. Silver
Hon. Elsbeth Levy Bothe
Hon. Joseph I. Pines
Hon. John Carroll Byrnes
Hon. Thomas Ward
Hon. Kenneth Lavon Johnson
Hon. Edward J. Angeletti
Hon. Arrie W. Davis
Hon. Thomas E. Noel
Hon. David B. Mitchell
Hon. Hilary D. Caplan
Hon. Kathleen O'Ferrall Friedman
Hon. Marvin B. Steinberg
Hon. Clifton J. Gordy, Jr.
Hon. Mabel H. Hubbard
Hon. John N. Prevas
Hon. Ellen M. Heller
Hon. Roger W. Brown
Vacancy
Vacancy

*Circuit Administrative Judge

The Circuit Courts

The circuit courts are the highest common law and equity courts of record exercising original jurisdiction within the State. Each has full common law and equity powers and jurisdiction in all civil and criminal cases within its county and all the additional powers and jurisdiction conferred by the Constitution and by law, except where by law jurisdiction has been limited or conferred upon another tribunal.

In each county of the State and in Baltimore City, there is a circuit court which is a trial court of general jurisdiction. Its jurisdiction is very broad, but generally it handles the major civil cases and more serious criminal matters. The circuit courts also decide appeals from the District Court and from certain administrative agencies.

The courts are grouped into eight geographical circuits. Each of the first seven circuits is comprised of two or more counties while the Eighth Judicial Circuit consists of Baltimore City. On January 1, 1983, the former Supreme Bench was consolidated into the Circuit Court for Baltimore City.

As of July 1, 1987, there were 109 circuit court judges with at least one judge for each county and 23 in Baltimore City. Unlike the other three court levels in Maryland, there is no chief judge who is administrative head of the circuit courts. However, there are eight circuit administrative judges appointed by the Chief Judge of the Court of Appeals who perform administrative duties in each of their respective circuits. They are assisted by county administrative judges.

Each circuit court judge is initially appointed to office by the Governor and must stand for election at the next general election following by at least one year the vacancy the judge was appointed to fill. The judge may be opposed by one or more members of the bar. The successful candidate is elected to a fifteen-year term of office.

Filings

During Fiscal Year 1988, there were 206,018 total filings reported for the circuit courts, an increase of 4.2 percent or 8,393 over the 197,625 filings reported for Fiscal 1987 (Table CC-2). Civil case filings increased by the greatest percentage, 6.1 percent or 6,452 cases, followed by criminal filings which increased by 4.8 percent or 2,676 (Tables CC-20 and CC-24). The only decrease was reported in juvenile filings which decreased by 2 percent or 735 filings (Table CC-29).

Again this year, civil filings represented the greatest number of circuit court filings overall, 54.7 percent (Table CC-7). The four largest counties along with

Baltimore City contributed the majority of the civil filings reported with 81,725 or 72.6 percent. Baltimore City accounted for the greatest number of civil filings, 23,494 or 20.9 percent followed by Prince George's and Montgomery Counties with 21,451 (19 percent) and 14,403 (12.8 percent), respectively. Baltimore County contributed 13,365 (11.9 percent) while Anne Arundel County reported 9,012 civil filings or 8 percent. The remaining 19 counties reported 30,920 civil filings, an increase of 10.6 percent over the previous fiscal year (Table CC-20). The most significant decrease in the civil category was reported in contested confessed judgment which decreased by 83.1 percent. However, the increases in adoption/guardianship and domestic relations cases helped to offset that significant decrease resulting in an overall increase in civil filings.

In exercising jurisdiction formerly held by an orphan's court, the Circuit Court for Montgomery County reported that it conducted 174 hearings and signed 2,852 orders. The Circuit Court for Harford County, which exercises the same jurisdiction, recorded 15 hearings and signed 500 orders.

Criminal case filings also increased during Fiscal Year 1988, from 55,247 in Fiscal 1987 to the current level of 57,923, an increase of 4.8 percent or 2,676 filings (Table CC-24). Criminal filings accounted for 28.1 percent of the total filings reported. Jury trial prayers increased by 5.5 percent, from 28,244 in Fiscal 1987 to 29,784 in Fiscal 1988 (Table CC-5). Also contributing to the increase in criminal case filings were increases in motor vehicle appeals from the District Court (12.7 percent), and indictment information (10.1 percent). The greatest number of criminal filings continue to come from Baltimore City and the four largest counties with Baltimore City contributing the most (15,759 or 27.2 percent). Baltimore County reported 8,719 filings followed by Prince George's and Montgomery Counties with 7,314 and 7,120, respectively. Anne Arundel County reported 3,669 criminal filings (Table CC-24).

Juvenile was the only functional area to report a decrease. There were 35,450 juvenile filings reported for Fiscal 1988 compared to 36,185 for Fiscal 1987, a decrease of 2 percent (Table CC-28). Overall, juvenile filings represented 17.2 percent of the circuit court filings reported during Fiscal 1988. Baltimore City contributed a significant number of the juvenile filings reported with 13,805 followed by Prince George's County with 6,549 and Baltimore County with 3,425. Over 75 percent of all juvenile filings were delinquency cases (Table CC-8).

TABLE CC-1
CIRCUIT COURT—FILINGS BY FISCAL YEAR

	1983-84	1984-85	1985-86	1986-87	1987-88
Filings	165,169	175,785	189,899	197,625	206,018
Terminations	150,913	155,397	159,559	164,668	183,403

Includes Montgomery County Juvenile Causes

Percentage of breakdown of filings

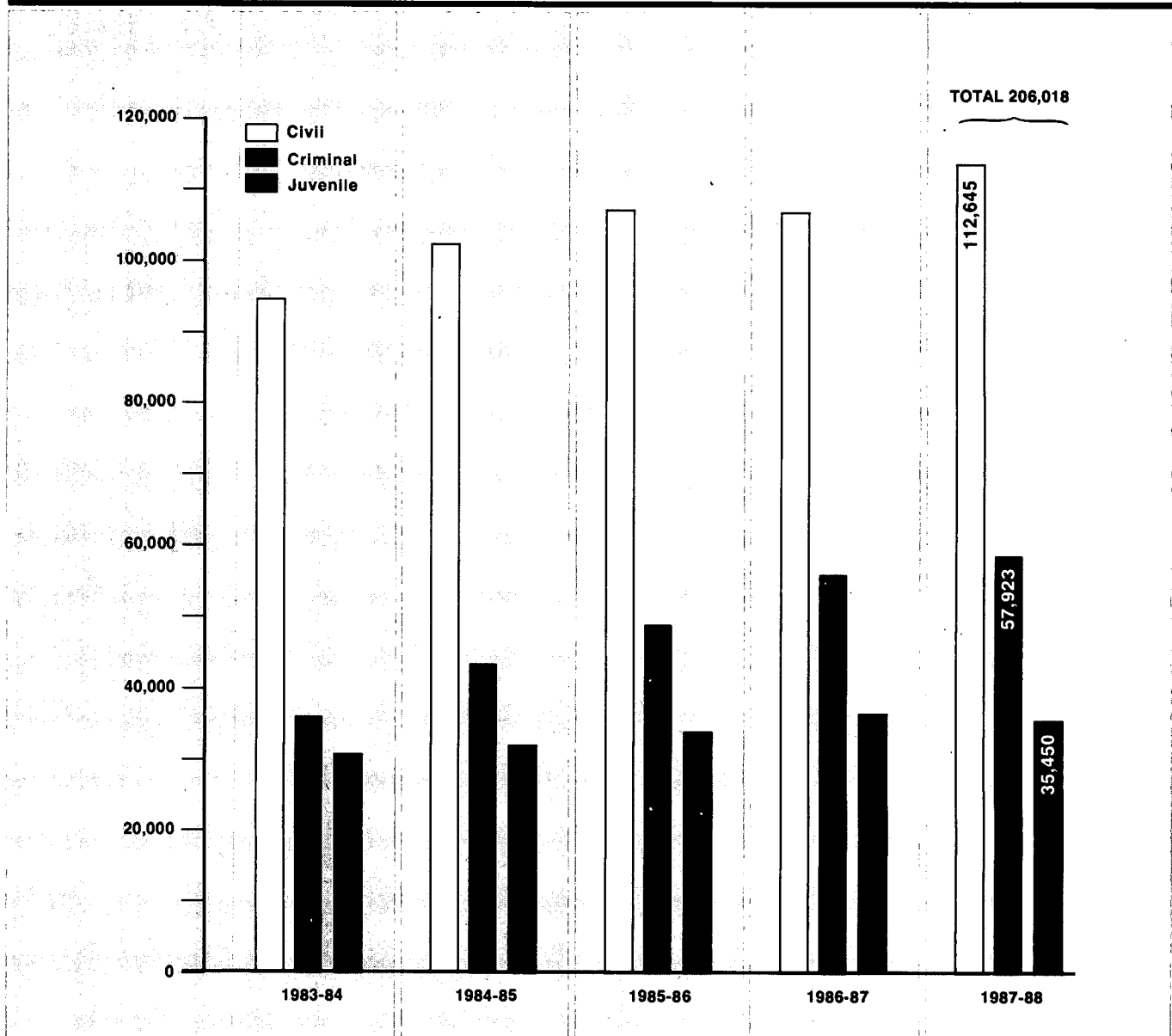
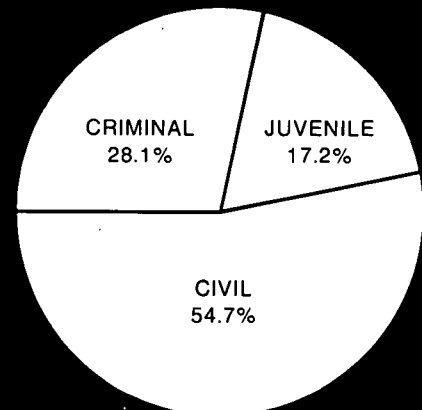


TABLE CC-2
FIVE-YEAR COMPARATIVE TABLE
ALL CASES
FILINGS AND TERMINATIONS
FISCAL 1984—FISCAL 1988

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1983-84		1984-85		1985-86		1986-87		1987-88	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	6,398	6,201	6,366	5,899	7,552	7,205	7,670	7,313	7,930	7,418
Dorchester	1,305	1,204	1,480	1,408	1,837	1,960	1,865	1,722	1,726	1,533
Somerset	800	799	759	688	940	898	1,021	951	1,108	1,008
Wicomico	2,583	2,573	2,245	2,171	2,644	2,375	2,604	2,528	2,994	2,830
Worcester	1,710	1,625	1,882	1,632	2,131	1,972	2,180	2,112	2,102	2,047
SECOND CIRCUIT	5,369	5,081	5,625	5,368	5,891	5,348	6,259	5,533	6,939	6,243
Caroline	687	683	897	747	977	986	1,016	836	1,180	1,188
Cecil	2,356	2,133	2,484	2,435	2,376	2,121	2,549	2,245	2,897	2,476
Kent	388	365	372	402	551	427	668	648	643	570
Queen Anne's	991	937	939	977	944	909	951	898	1,045	1,000
Talbot	947	963	933	807	1,043	905	1,075	906	1,174	1,009
THIRD CIRCUIT	22,931	21,102	25,144	21,298	28,487	23,661	29,792	25,179	31,968	28,912
Baltimore	18,352	17,526	20,176	17,515	23,137	19,543	24,325	20,603	25,509	22,572
Harford	4,579	2,576	4,968	3,783	5,350	4,118	5,467	4,576	6,459	6,340
FOURTH CIRCUIT	5,378	4,970	5,947	5,578	6,645	5,791	6,679	5,704	7,463	7,591
Allegany	1,544	1,232	1,702	1,564	1,935	1,553	1,828	1,392	2,052	2,469
Garrett	701	761	718	698	684	692	747	745	906	889
Washington	3,133	2,977	3,527	3,316	4,026	3,546	4,104	3,567	4,505	4,233
FIFTH CIRCUIT	23,727	21,959	26,037	23,322	26,681	22,005	25,329	23,393	25,611	21,247
Anne Arundel	16,501	15,265	18,250	15,837	18,257	14,469	16,723	15,618	15,717	11,772
Carroll	3,434	3,091	3,543	3,356	3,603	3,327	3,757	3,314	4,049	3,811
Howard	3,792	3,603	4,244	4,129	4,821	4,209	4,849	4,461	5,845	5,664
SIXTH CIRCUIT	22,596	20,320	23,472	21,871	24,526	20,887	26,011	18,601	27,972	23,534
Frederick	2,574	2,371	2,718	2,699	3,163	2,802	3,388	2,841	3,805	3,284
Montgomery*	20,022	17,949	20,754	19,172	21,363	18,085	22,623	15,760	24,167	20,250
SEVENTH CIRCUIT	35,561	36,099	36,066	30,834	39,422	33,191	43,583	40,649	45,077	40,742
Calvert	1,317	1,134	1,467	1,335	1,585	1,582	1,536	1,488	1,695	1,600
Charles	3,010	2,768	3,195	3,040	3,804	3,549	4,710	4,124	4,733	4,257
Prince George's	29,653	30,727	29,916	25,100	32,542	26,660	34,525	32,711	35,314	31,943
St. Mary's	1,581	1,470	1,488	1,359	1,491	1,400	2,812	2,326	3,335	2,942
EIGHTH CIRCUIT	40,121	32,333	47,128	41,227	50,695	41,471	52,302	38,296	53,058	47,716
Baltimore City	40,121	32,333	47,128	41,227	50,695	41,471	52,302	38,296	53,058	47,716
STATE	162,081	148,065	175,785	155,397	189,899	159,559	197,625	164,668	206,018	183,403

*Includes juvenile causes processed at the District Court level.

NOTE: See note on Table CC-20.

TABLE CC-3

**TERMINATIONS AS A PERCENTAGE OF FILINGS
IN THE CIRCUIT COURTS**

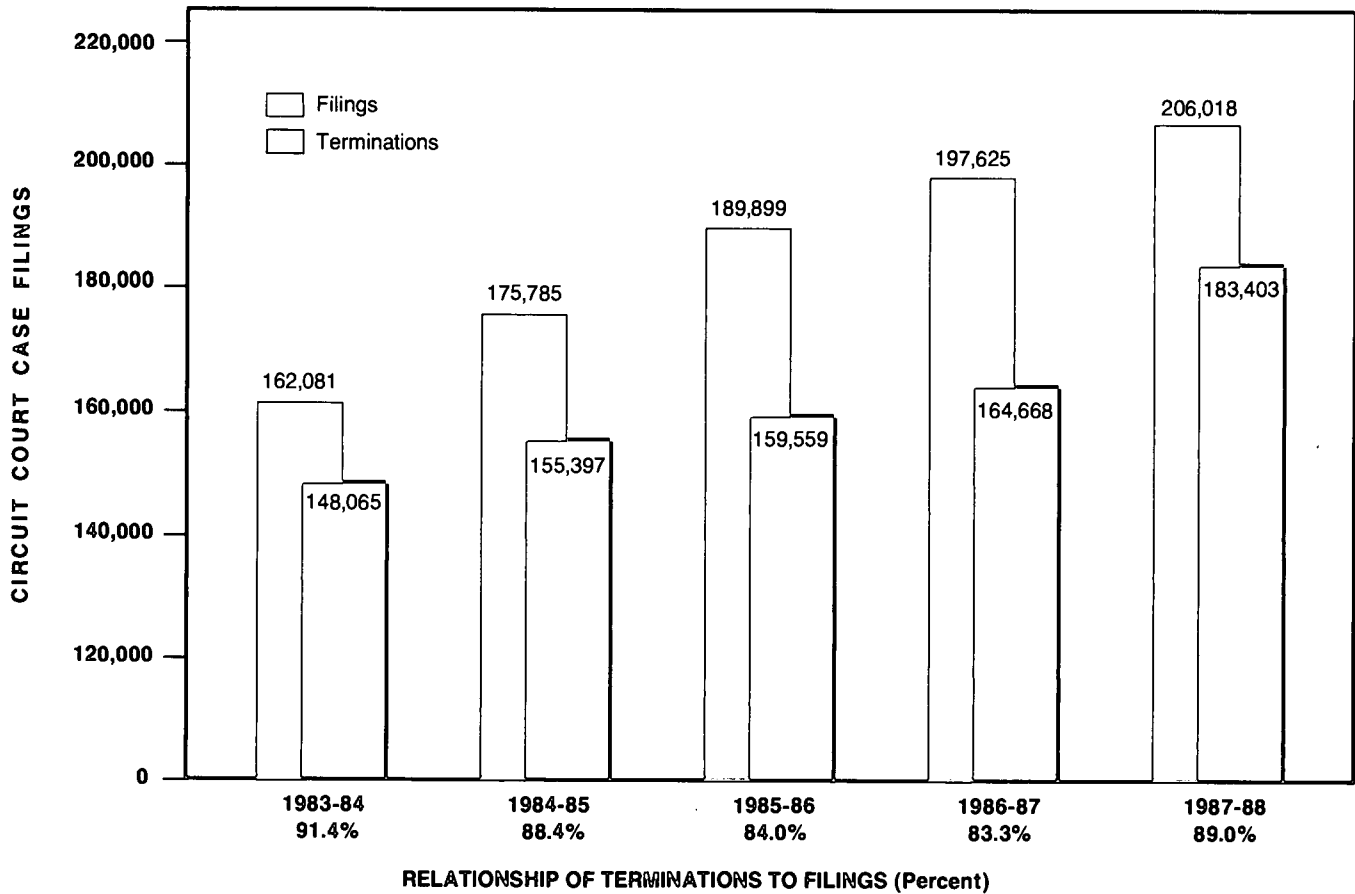


TABLE CC-4

CASES TRIED BY MAJOR JURISDICTION

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	State	Baltimore City	All Counties	Four Largest Counties	Other 19 Counties
CIVIL	8,879	1,386	7,493	4,617	2,876
Court Trial	7,592	1,164	6,428	3,870	2,558
Jury Trial	1,287	222	1,065	747	318
CRIMINAL	4,320	1,167	3,153	1,626	1,527
Court Trial	2,456	765	1,691	781	910
Jury Trial	1,864	402	1,462	845	617

Terminations

Circuit court terminations also increased during Fiscal Year 1988. There were 164,668 terminations in Fiscal 1987 compared to 183,403 in Fiscal 1988, an increase of 11.4 percent (Table CC-2). Increases were reported in both the civil and criminal categories while juvenile terminations decreased. The ratio of terminations as a percentage of filings increased during Fiscal Year 1988, from 83.3 percent to the present level of 89 percent.

Civil terminations increased by 15.2 percent, representing the second consecutive year of an increase since Fiscal 1984. There was also an increase reported in criminal terminations, from 44,910 in Fiscal 1987 to 52,039 in Fiscal 1988, an increase of 15.9 percent. Following the decrease in juvenile filings, juvenile terminations also decreased during Fiscal 1988 by 3.6 percent. In the civil area, the greatest increase was reported in paternity terminations (34.7 percent), while motor vehicle appeals from the District Court represented the greatest increase in the criminal category (34.6 percent).

Of the major jurisdictions, Anne Arundel and Prince George's Counties were the only ones to report a decrease in overall terminations, 24.6 percent and 2.3 percent, respectively (Table CC-2). The decrease in Anne Arundel County can be attributed to the decrease in both civil (36.1 percent) and juvenile terminations (15.1 percent) (Tables CC-20 and CC-28).

Pending

There were 250,694 cases pending at the close of Fiscal 1988, an increase of 11.4 percent over Fiscal 1987. Included in that total were 185,796 civil cases; 44,674 criminal cases; and 20,224 juvenile cases including 1,952 juvenile causes from Montgomery County (Table CC-6.9). Those figures compare to 224,969 cases pending at the close of Fiscal 1987 of which 163,262 were civil; 42,408 were criminal; and 19,299 were juvenile including 1,540 juvenile causes from Montgomery County. The five major jurisdictions contributed the majority of the cases with 86.5 percent or 216,869 cases pending.

Court Trials, Jury Trials, and Hearings

The circuit courts conducted a total of 226,094 judicial proceedings during Fiscal Year 1988, an increase of

11.2 percent over the previous year. Included in that figure were 51,370 civil hearings; 96,284 criminal hearings; 65,241 juvenile hearings; 10,048 court trials; and 3,151 jury trials (Table CC-10). Over 75 percent of the court trials held were civil in nature while over 59 percent of the jury trials were of a criminal nature.

Elapsed Time of Case Dispositions

The average time period from the filing of an original case to its disposition remained relatively constant for civil and juvenile cases and rose for criminal cases (Table CC-13). When the older, inactive cases, which constitute approximately 5 percent of the total cases, are excluded, the average time to dispose of a civil case was 213 days in Fiscal 1988 compared to 214 days in Fiscal 1987 and 204 days in Fiscal 1986. Criminal cases averaged 120 days from filing to disposition in Fiscal 1988, 112 days in Fiscal 1987, and 106 days in Fiscal 1986. The average time to dispose of juvenile cases was 67 days in Fiscal 1988 and 66 days in Fiscal 1986 and 1987.

Trends

Circuit court filings have continued to increase steadily over the past few years. This was the second year in the last five that the increase in overall filings was less than 10,000 filings. Fiscal Year 1988 also marked the second consecutive year in five years that an increase was not reported in all three functional areas. Civil and criminal filings increased by 6.1 percent and 4.8 percent, respectively, while juvenile filings decreased by 2 percent. Overall filings increased by 4.2 percent, from 197,625 in Fiscal 1987 to 206,018 in Fiscal 1988.

Adoption and guardianship cases accounted for the greatest percentage increase in civil cases during Fiscal 1988 while motor vehicle appeals from the District Court reported the greatest increases in criminal filings. Again this year, CINA cases reported the greatest increase in the juvenile area.

The increase in jury trial prayers went from 21.3 percent in Fiscal 1987 to 5.5 percent in Fiscal 1988. Jury trial prayers still represent over 50 percent of the criminal filings reported each year. In the civil area, both motor tort and other tort filings increased by 6.9 percent and 16.8 percent, respectively.

TABLE CC-5

JURY TRIAL PRAYERS PRE- AND POST-GERSTUNG LAW (CHAPTER 608)

	Pre- Ch. 608	Post-Ch. 608						
	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
Baltimore City*	5,925	2,034	3,209	4,128	5,948	7,407	8,698	8,714
Anne Arundel County	503	381	392	459	720	922	1,066	1,343
Baltimore County	1,312	1,050	1,424	1,513	2,245	3,363	4,348	4,683
Montgomery County	636	489	1,223	1,924	2,631	2,511	3,560	3,955
Prince George's County	952	895	1,583	2,755	4,043	4,348	4,003	3,111
All Other Counties	2,962	1,399	1,930	2,414	3,593	4,733	6,569	7,978
Total	12,290	6,248	9,761	13,193	19,180	23,284	28,244	29,784

*Based on number of defendants provided by the Criminal Assignment Office of the Circuit Court for Baltimore City.

TABLE CC-6.1

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE FIRST JUDICIAL CIRCUIT OF MARYLANDJULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—FIRST CIRCUIT	3,402	7,930	7,620	310	7,418	7,138	280	3,914
Civil	2,288	4,719	4,588	131	4,392	4,284	108	2,615
Criminal	1,002	2,635	2,456	179	2,454	2,282	172	1,183
Juvenile	112	576	576	—	572	572	—	116
DORCHESTER COUNTY	739	1,726	1,661	65	1,533	1,474	59	932
Civil	552	1,190	1,165	25	1,036	1,012	24	706
Criminal	166	440	400	40	399	364	35	207
Juvenile	21	96	96	—	98	98	—	19
SOMERSET COUNTY	481	1,108	1,079	29	1,008	989	19	581
Civil	340	783	766	17	742	733	9	381
Criminal	124	238	226	12	182	172	10	180
Juvenile	17	87	87	—	84	84	—	20
WICOMICO COUNTY	1,093	2,994	2,907	87	2,830	2,734	96	1,257
Civil	760	1,650	1,614	36	1,524	1,483	41	886
Criminal	306	1,161	1,110	51	1,119	1,064	55	348
Juvenile	27	183	183	—	187	187	—	23
WORCESTER COUNTY	1,089	2,102	1,973	129	2,047	1,941	106	1,144
Civil	636	1,096	1,043	53	1,090	1,056	34	642
Criminal	406	796	720	76	754	682	72	448
Juvenile	47	210	210	—	203	203	—	54

NOTE: The beginning inventory figures have been adjusted to reflect additions and deletions of cases resulting from routine maintenance and the removal of old cases that were actually terminated in a prior fiscal year. This adjustment is reflected in Table CC-6.1 through Table CC-6.9.

TABLE CC-6.2
CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE SECOND JUDICIAL CIRCUIT OF MARYLAND
JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—SECOND CIRCUIT	3,259	6,939	6,617	322	6,243	5,959	284	3,955
Civil	2,114	4,373	4,254	119	3,964	3,871	93	2,523
Criminal	1,006	1,858	1,655	203	1,595	1,404	191	1,269
Juvenile	139	708	708	—	684	684	—	163
CAROLINE COUNTY	537	1,180	1,131	49	1,188	1,160	28	529
Civil	362	832	807	25	807	797	10	387
Criminal	154	260	236	24	280	262	18	134
Juvenile	21	88	88	—	101	101	—	8
CECIL COUNTY	1,509	2,897	2,745	152	2,476	2,345	131	1,930
Civil	936	1,875	1,830	45	1,589	1,556	33	1,222
Criminal	502	720	613	107	617	519	98	605
Juvenile	71	302	302	—	270	270	—	103
KENT COUNTY	280	643	613	30	570	536	34	353
Civil	198	376	360	16	370	352	18	204
Criminal	76	220	206	14	158	142	16	138
Juvenile	6	47	47	—	42	42	—	11
QUEEN ANNE'S COUNTY	412	1,045	1,010	35	1,000	961	39	457
Civil	260	619	608	11	579	570	9	300
Criminal	131	312	288	24	304	274	30	139
Juvenile	21	114	114	—	117	117	—	18
TALBOT COUNTY	521	1,174	1,118	56	1,009	957	52	686
Civil	358	671	649	22	619	596	23	410
Criminal	143	346	312	34	236	207	29	253
Juvenile	20	157	157	—	154	154	—	23

NOTE: See note on Table CC-6.1.

TABLE CC-6.3

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE THIRD JUDICIAL CIRCUIT OF MARYLANDJULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—THIRD CIRCUIT	29,385	31,968	29,984	1,984	28,912	27,228	1,684	32,441
Civil	19,888	16,676	15,789	887	15,351	14,599	752	21,213
Criminal	8,729	11,046	9,949	1,097	9,200	8,268	932	10,575
Juvenile	768	4,246	4,246	—	4,361	4,361	—	653
BALTIMORE COUNTY	22,690	25,509	23,828	1,681	22,572	21,165	1,407	25,627
Civil	14,859	13,365	12,655	710	11,899	11,314	585	16,325
Criminal	7,372	8,719	7,748	971	7,301	6,479	822	8,790
Juvenile	459	3,425	3,425	—	3,372	3,372	—	512
HARFORD COUNTY	6,695	6,459	6,156	303	6,340	6,063	277	6,814
Civil	5,029	3,311	3,134	177	3,452	3,285	167	4,888
Criminal	1,357	2,327	2,201	126	1,899	1,789	110	1,785
Juvenile	309	821	821	—	989	989	—	141

NOTE: See note on Table CC-6.1.

TABLE CC-6.4

**CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE FOURTH JUDICIAL CIRCUIT OF MARYLAND**

**JULY 1, 1987—JUNE 30, 1988
FISCAL 1988**

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—FOURTH CIRCUIT	5,053	7,463	7,146	317	7,591	7,304	287	4,925
Civil	4,185	4,827	4,667	160	4,983	4,836	147	4,029
Criminal	764	1,585	1,428	157	1,574	1,434	140	775
Juvenile	104	1,051	1,051	—	1,034	1,034	—	121
ALLEGANY COUNTY	2,386	2,052	1,930	122	2,469	2,347	122	1,969
Civil	2,121	1,388	1,304	84	1,739	1,661	78	1,770
Criminal	230	369	331	38	444	400	44	155
Juvenile	35	295	295	—	286	286	—	44
GARRETT COUNTY	277	906	876	30	889	855	34	294
Civil	234	676	655	21	659	637	22	251
Criminal	23	84	75	9	75	63	12	32
Juvenile	20	146	146	—	155	155	—	11
WASHINGTON COUNTY	2,390	4,505	4,340	165	4,233	4,102	131	2,662
Civil	1,830	2,763	2,708	55	2,585	2,538	47	2,008
Criminal	511	1,132	1,022	110	1,055	971	84	588
Juvenile	49	610	610	—	593	593	—	66

NOTE: See note on Table CC-6.1.

TABLE CC-6.5
CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE FIFTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	<u>PENDING</u>	<u>FILED</u>			<u>TERMINATED</u>			<u>PENDING</u>
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—FIFTH CIRCUIT	22,669	25,611	24,383	1,228	21,247	20,219	1,028	27,033
Civil	17,534	14,206	13,559	647	11,199	10,660	539	20,541
Criminal	4,381	7,214	6,633	581	5,985	5,496	489	5,610
Juvenile	754	4,191	4,191	—	4,063	4,063	—	882
ANNE ARUNDEL COUNTY	16,344	15,717	15,053	664	11,772	11,283	489	20,289
Civil	13,215	9,012	8,558	454	6,038	5,720	318	16,189
Criminal	2,628	3,669	3,459	210	2,798	2,627	171	3,499
Juvenile	501	3,036	3,036	—	2,936	2,936	—	601
CARROLL COUNTY	2,439	4,049	3,835	214	3,811	3,638	173	2,677
Civil	1,462	2,013	1,953	60	1,919	1,868	51	1,556
Criminal	860	1,426	1,272	154	1,231	1,109	122	1,055
Juvenile	117	610	610	—	661	661	—	66
HOWARD COUNTY	3,886	5,845	5,495	350	5,664	5,298	366	4,067
Civil	2,857	3,181	3,048	133	3,242	3,072	170	2,796
Criminal	893	2,119	1,902	217	1,956	1,760	196	1,056
Juvenile	136	545	545	—	466	466	—	215

NOTE: See note on Table CC-6.1.

TABLE CC-6.6
CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE SIXTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	<u>PENDING</u>	<u>FILED</u>			<u>TERMINATED</u>			<u>PENDING</u>
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—SIXTH CIRCUIT	27,450	27,972	26,921	1,051	23,534	22,536	998	31,888
Civil	18,032	16,976	16,670	306	13,706	13,380	326	21,302
Criminal	7,816	8,020	7,275	745	7,277	6,605	672	8,559
Juvenile	1,602	2,976	2,976	—	2,551	2,551	—	2,027
FREDERICK COUNTY	1,890	3,805	3,637	168	3,284	3,145	139	2,411
Civil	1,343	2,573	2,488	85	2,173	2,102	71	1,743
Criminal	481	900	817	83	788	720	68	593
Juvenile	66	332	332	—	323	323	—	75
MONTGOMERY COUNTY	25,560	24,167	23,284	883	20,250	19,391	859	29,477
Civil	16,689	14,403	14,182	221	11,533	11,278	255	19,559
Criminal	7,335	7,120	6,458	662	6,489	5,885	604	7,966
Juvenile*	1,536	2,644	2,644	—	2,228	2,228	—	1,952

*Juvenile causes processed at the District Court level.

NOTE: See note on Table CC-6.1.

TABLE CC-6.7

CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE SEVENTH JUDICIAL CIRCUIT OF MARYLANDJULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—SEVENTH CIRCUIT	29,210	45,077	44,439	638	40,742	40,018	724	33,545
Civil	22,815	27,374	27,076	298	24,023	23,671	352	26,166
Criminal	5,020	9,806	9,466	340	9,301	8,929	372	5,525
Juvenile	1,375	7,897	7,897	—	7,418	7,418	—	1,854
CALVERT COUNTY	871	1,695	1,633	62	1,600	1,525	75	966
Civil	662	959	922	37	916	864	52	705
Criminal	88	422	397	25	368	345	23	142
Juvenile	121	314	314	—	316	316	—	119
CHARLES COUNTY	1,932	4,733	4,635	98	4,257	4,167	90	2,408
Civil	1,192	3,063	3,005	58	2,660	2,615	45	1,595
Criminal	614	954	914	40	885	840	45	683
Juvenile	126	716	716	—	712	712	—	130
PRINCE GEORGE'S COUNTY	25,112	35,314	34,887	427	31,943	31,481	462	28,483
Civil	20,144	21,451	21,277	174	18,758	18,580	178	22,837
Criminal	3,890	7,314	7,061	253	7,029	6,745	284	4,175
Juvenile	1,078	6,549	6,549	—	6,156	6,156	—	1,471
ST. MARY'S COUNTY	1,295	3,335	3,284	51	2,942	2,845	97	1,688
Civil	817	1,901	1,872	29	1,689	1,612	77	1,029
Criminal	428	1,116	1,094	22	1,019	999	20	525
Juvenile	50	318	318	—	234	234	—	134

NOTE: See note on Table CC-6.1.

TABLE CC-6.8

**CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE EIGHTH JUDICIAL CIRCUIT OF MARYLAND**

**JULY 1, 1987—JUNE 30, 1988
FISCAL 1988**

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—EIGHTH CIRCUIT								
BALTIMORE CITY	107,651	53,058	51,858	1,200	47,716	46,740	976	112,993
Total—Civil Courts	84,067	23,494	22,957	537	20,154	19,703	451	87,407
Total—Criminal Court	10,072	15,759	15,096	663	14,653	14,128	525	11,178
Total—Juvenile Court	13,512	13,805	13,805	—	12,909	12,909	—	14,408

NOTE: See note on Table CC-6.1.

TABLE CC-6.9

**CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE STATE OF MARYLAND**

**JULY 1, 1987—JUNE 30, 1988
FISCAL 1988**

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—STATE	228,079	206,018	198,968	7,050	183,403	177,142	6,261	250,694
Civil	170,923	112,645	109,560	3,085	97,772	95,004	2,768	185,796
Criminal	38,790	57,923	53,958	3,965	52,039	48,546	3,493	44,674
Juvenile*	18,366	35,450	35,450	—	33,592	33,592	—	20,224

*Includes juvenile causes processed by the District Court for Montgomery County.

NOTE: See notes on Table CC-6.1 and Table CC-20.

TABLE CC-7
PERCENTAGES OF ORIGINAL CASES FILED AND REOPENED CASES FILED
JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	CIVIL		CRIMINAL		JUVENILE		TOTAL	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
FIRST CIRCUIT	4,719	59.5	2,635	33.2	576	7.3	7,930	100.0
Dorchester	1,190	68.9	440	25.5	96	5.6	1,726	100.0
Somerset	783	70.7	238	21.5	87	7.8	1,108	100.0
Wicomico	1,650	55.1	1,161	38.8	183	6.1	2,994	100.0
Worcester	1,096	52.1	796	37.9	210	10.0	2,102	100.0
SECOND CIRCUIT	4,373	63.0	1,858	26.8	708	10.2	6,939	100.0
Caroline	832	70.5	260	22.0	88	7.5	1,180	100.0
Cecil	1,875	64.7	720	24.9	302	10.4	2,897	100.0
Kent	376	58.5	220	34.2	47	7.3	643	100.0
Queen Anne's	619	59.2	312	29.9	114	10.9	1,045	100.0
Talbot	671	57.1	346	29.5	157	13.4	1,174	100.0
THIRD CIRCUIT	16,676	52.2	11,046	34.5	4,246	13.3	31,968	100.0
Baltimore	13,365	52.4	8,719	34.2	3,425	13.4	25,509	100.0
Harford	3,311	51.3	2,327	36.0	821	12.7	6,459	100.0
FOURTH CIRCUIT	4,827	64.7	1,585	21.2	1,051	14.1	7,463	100.0
Allegany	1,388	67.6	369	18.0	295	14.4	2,052	100.0
Garrett	676	74.6	84	9.3	146	16.1	906	100.0
Washington	2,763	61.3	1,132	25.1	610	13.6	4,505	100.0
FIFTH CIRCUIT	14,206	55.5	7,214	28.2	4,191	16.3	25,611	100.0
Anne Arundel	9,012	57.4	3,669	23.3	3,036	19.3	15,717	100.0
Carroll	2,013	49.7	1,426	35.2	610	15.1	4,049	100.0
Howard	3,181	54.4	2,119	36.3	545	9.3	5,845	100.0
SIXTH CIRCUIT	16,976	60.7	8,020	28.7	2,976	10.6	27,972	100.0
Frederick	2,573	67.6	900	23.7	332	8.7	3,805	100.0
Montgomery*	14,403	59.6	7,120	29.5	2,644	10.9	24,167	100.0
SEVENTH CIRCUIT	27,374	60.7	9,806	21.8	7,897	17.5	45,077	100.0
Calvert	959	56.6	422	24.9	314	18.5	1,695	100.0
Charles	3,063	64.7	954	20.2	716	15.1	4,733	100.0
Prince George's	21,451	60.7	7,314	20.7	6,549	18.6	35,314	100.0
St. Mary's	1,901	57.0	1,116	33.5	318	9.5	3,335	100.0
EIGHTH CIRCUIT	23,494	44.3	15,759	29.7	13,805	26.0	53,058	100.0
Baltimore City	23,494	44.3	15,759	29.7	13,805	26.0	53,058	100.0
STATE	112,645	54.7	57,923	28.1	35,450	17.2	206,018	100.0

*Juvenile causes heard at District Court level.

TABLE CC-8
CATEGORIES OF FILINGS
ORIGINAL CASES FILED AND REOPENED CASES FILED
JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
CIVIL—TOTALS	1,190	783	1,650	1,096	832	1,875	376	619	671	13,365	3,311	1,388	676	2,763	9,012	2,013	3,181	2,573	14,403	959	3,063	21,451	1,901	23,494	112,645
TORT:																									
Motor Tort	22	11	57	37	10	71	8	30	28	1,514	235	39	14	83	784	112	233	91	976	49	132	1,803	73	3,815	10,227
Other Tort	4	7	22	13	24	8	6	6	3	1,188	47	14	12	36	127	8	73	54	690	4	36	594	4	961	3,943
CONTRACT	15	6	93	83	1	17	24	17	45	1,530	103	40	22	85	721	55	412	162	1,789	42	103	1,325	26	1,138	7,854
CONDEMNATION	1	0	2	0	1	0	0	5	1	36	13	2	2	3	31	0	5	8	7	2	4	17	5	41	186
CONTESTED CONFESSED																									
JUDGMENT	0	6	3	2	0	0	1	0	10	2	2	1	0	0	2	1	1	1	5	1	3	1	5	131	178
OTHER LAW	2	11	33	42	0	113	2	0	41	398	17	115	5	1	349	0	0	122	448	25	0	23	4	2,763	4,674
APPEALS:																									
District Court—On Record	1	1	6	13	2	6	0	1	2	89	14	6	3	2	17	1	20	11	44	2	6	11	1	0	259
District Court—De Novo	2	0	5	4	7	7	1	3	3	113	21	4	3	0	35	2	17	18	106	9	9	27	1	156	553
Administrative Agencies	22	16	25	36	16	32	15	7	17	508	142	74	15	53	402	57	96	56	71	26	43	136	27	381	2,273
UNREPORTED LAW	2	0	0	0	0	0	0	0	0	5	0	0	0	0	5	0	0	0	0	0	0	2	0	19	37
DIVORCE/NULLITY	273	121	545	216	166	509	123	146	197	3,235	876	421	183	825	2,580	623	956	809	3,688	269	775	5,495	573	3,928	27,532
OTHER DOMESTIC RELATIONS	104	156	206	134	162	465	80	143	97	1,963	607	122	264	587	594	393	375	530	433	132	599	4,503	324	697	13,670
ADOPTION/GUARDIANSHIP	42	3	62	21	30	53	21	14	40	277	131	26	15	116	254	73	140	113	713	37	62	302	23	601	3,169
PATERNITY	577	369	374	160	259	292	54	120	115	1,817	422	219	78	482	1,283	95	172	321	3,689	134	985	3,702	510	5,382	17,611
OTHER GENERAL	117	72	217	331	150	297	38	127	71	1,653	502	298	57	485	1,777	589	664	272	3,308	221	299	3,462	273	3,475	18,755
UNREPORTED CATEGORY	6	4	0	4	4	5	1	0	1	37	19	7	3	4	51	4	17	5	1,434	6	6	48	52	6	1,724
JUVENILE—TOTALS	96	87	183	210	88	302	47	114	157	3,425	821	295	146	610	3,036	610	545	332	2,644	314	716	6,549	318	13,805	35,450
DELINQUENCY	57	68	128	175	59	218	38	83	101	2,710	530	173	71	449	2,322	451	476	250	1,699	253	598	4,596	282	11,059	26,826
ADULT	0	0	0	0	0	0	1	2	0	2	0	1	0	0	0	17	0	0	1	0	0	4	14	16	58
CHILD IN NEED OF SUPERVISION	0	0	0	1	7	6	1	6	8	20	9	38	14	12	10	33	6	3	2	8	1	4	0	182	371
CHILD IN NEED OF ASSISTANCE	39	19	54	34	22	78	7	23	45	692	282	83	60	149	703	108	63	79	941	53	116	1,938	40	2,546	8,174
UNREPORTED CATEGORY	0	0	1	0	0	0	0	0	3	1	0	0	1	0	1	1	0	0	1	0	1	7	2	2	21
CRIMINAL—TOTALS	440	238	1,161	796	260	720	220	312	346	8,719	2,327	369	84	1,132	3,669	1,426	2,119	900	7,120	422	954	7,314	1,116	15,759	57,923
INDICTMENT INFORMATION	168	73	445	203	102	229	91	119	150	2,542	624	169	46	481	2,045	400	854	488	2,259	288	752	3,913	278	6,157	22,876
APPEALS FROM DISTRICT COURT:																									
Motor Vehicle	24	5	12	55	11	72	8	12	20	684	95	21	6	44	111	110	161	66	433	12	10	128	9	357	2,466
Other	16	7	39	21	13	35	6	12	14	287	31	17	3	66	99	44	56	17	229	13	30	125	13	306	1,499
JURY TRIAL PRAYED—MOTOR	101	74	229	273	47	181	25	99	57	1,616	939	62	9	204	565	361	468	208	2,154	51	61	1,501	485	0	9,770
JURY TRIAL PRAYED—OTHER	129	79	430	240	72	189	82	64	105	3,067	594	93	9	311	778	499	570	118	1,801	48	83	1,610	329	8,822	20,122
NONSUPPORT	0	0	0	0	0	0	0	0	0	347	1	5	0	0	50	0	0	0	1	0	0	0	0	0	404
POST CONVICTION	0	0	0	1	8	8	1	0	0	0	13	0	0	15	21	0	9	0	5	5	7	9	0	117	227
UNREPORTED CATEGORY	2	0	6	3	7	6	7	6	0	176	30	2	3	11	0	12	1	3	238	5	11	28	2	0	559

NOTE: See note on Table CC-20.

TABLE CC-9
CATEGORIES OF TERMINATIONS
TERMINATIONS OF ORIGINAL CASES FILED AND REOPENED CASES FILED
JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Hartford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
CIVIL—TOTALS	1,036	742	1,524	1,090	807	1,589	370	579	619	11,899	3,452	1,739	659	2,585	6,038	1,919	3,242	2,173	11,533	916	2,660	18,758	1,689	20,154	97,772
TORT:																									
Motor Tort	19	6	48	37	16	33	5	22	24	1,341	319	74	10	87	634	92	214	92	858	22	103	1,655	51	3,271	9,033
Other Tort	7	4	22	22	19	3	4	6	12	552	64	15	11	44	94	32	92	44	404	8	23	580	13	734	2,789
CONTRACT	22	11	75	86	6	6	27	18	27	1,183	247	52	23	72	516	76	413	116	1,874	35	73	1,156	35	825	6,976
CONDEMNATION	5	0	4	0	0	0	0	1	3	1	64	24	4	3	11	0	8	5	5	7	3	11	0	63	223
CONTESTED/CONFESSED																									
JUDGMENT	0	5	3	1	0	0	0	0	8	1	10	1	1	0	4	1	5	1	0	1	3	4	4	72	125
OTHER LAW	3	11	19	42	1	56	3	0	54	327	274	56	5	5	306	1	13	95	134	23	0	8	5	2,233	3,674
APPEALS:																									
District Court—On Record	3	1	7	9	1	6	0	1	1	92	20	3	2	7	14	0	44	12	32	5	5	1	3	0	269
District Court—De Novo	2	0	1	3	2	2	0	2	4	93	30	1	3	2	60	0	27	15	35	15	6	6	2	97	408
Administrative Agencies	19	8	33	22	7	25	18	6	18	400	117	74	17	38	244	51	99	44	188	32	34	171	72	354	2,091
UNREPORTED LAW	0	0	0	0	0	0	0	0	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	2	6
DIVORCE/NULLITY	293	110	543	228	152	448	121	143	161	3,611	862	418	194	775	1,784	642	986	708	3,246	240	742	4,922	509	4,034	25,872
OTHER DOMESTIC RELATIONS	80	149	131	122	138	411	79	130	94	1,597	554	99	243	579	312	373	371	460	605	149	504	4,123	299	312	11,914
ADOPTION/GUARDIANSHIP	29	1	54	22	24	46	16	14	33	279	114	22	19	84	224	65	149	96	513	36	54	299	24	511	2,728
PATERNITY	449	373	396	164	261	286	66	118	131	750	381	570	63	442	758	71	189	224	477	118	825	3,184	415	4,387	15,098
OTHER GENERAL	105	62	188	328	179	265	30	116	51	1,598	421	349	67	445	1,068	515	629	259	2,155	223	284	2,640	254	3,259	15,490
UNREPORTED CATEGORY	0	1	0	4	1	2	0	0	0	11	11	1	0	2	9	0	3	2	1,007	2	1	16	3	0	1,076
JUVENILE—TOTALS	98	84	187	203	101	270	42	117	154	3,372	989	286	155	593	2,936	661	466	323	2,228	316	712	6,156	234	12,909	33,592
DELINQUENCY	60	63	125	172	71	187	31	82	101	2,685	636	169	76	427	2,219	481	410	246	1,483	247	597	4,240	199	10,153	25,160
ADULT	0	0	0	0	0	1	1	4	0	2	1	1	0	0	1	18	0	0	1	0	0	4	9	11	54
CHILD IN NEED OF SUPERVISION	0	0	1	1	7	5	1	8	8	20	26	41	16	14	10	34	3	6	1	4	1	4	0	83	294
CHILD IN NEED OF ASSISTANCE	38	21	60	30	23	77	9	23	45	665	325	75	62	152	706	127	53	71	741	65	114	1,905	26	2,660	8,073
UNREPORTED CATEGORY	0	0	1	0	0	0	0	0	0	0	1	0	1	0	0	1	0	0	2	0	0	3	0	2	11
CRIMINAL—TOTALS	399	182	1,119	754	280	617	158	304	236	7,301	1,899	444	75	1,055	2,798	1,231	1,956	788	6,489	368	885	7,029	1,019	14,653	52,036
INDICTMENT INFORMATION	142	62	442	176	157	201	70	109	107	2,086	557	201	41	477	1,626	326	835	431	2,162	258	696	3,436	253	5,177	20,028
APPEALS FROM																									
District Court:																									
Motor Vehicle	25	5	18	50	11	63	9	13	16	586	82	23	7	29	109	83	140	52	416	11	9	148	7	136	2,048
Other	10	5	37	22	7	35	7	17	13	236	28	21	5	55	62	39	56	16	188	12	36	136	13	389	1,445
JURY TRIAL PRAYED—MOTOR	109	48	210	257	36	151	17	98	23	1,377	731	75	9	176	317	346	402	196	2,183	37	55	1,506	442	21	8,822
JURY TRIAL PRAYED—OTHER	113	62	412	248	67	163	54	66	77	2,521	491	116	5	289	633	435	514	93	1,535	45	79	1,783	302	8,823	18,926
NONSUPPORT	0	0	0	0	0	0	0	0	0	491	3	8	0	0	44	0	0	0	1	1	1	0	0	0	548
POST CONVICTION	0	0	0	1	2	4	1	0	0	0	7	0	0	27	7	2	9	0	3	5	9	20	0	107	212
UNREPORTED CATEGORY	0	0	0	0	0	0	0	1	0	4	4	0	0	2	0	0	0	0	1	0	0	0	2	0	10

TABLE CC-10

COURT TRIALS, JURY TRIALS, AND HEARINGS BY
COUNTY, CIRCUIT, AND FUNCTIONAL AREAJULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	1ST CIRCUIT			2ND CIRCUIT			3RD CIRCUIT			4TH CIRCUIT			5TH CIRCUIT			6TH CIRCUIT			7TH CIRCUIT			8TH CIRCUIT	TOTAL (STATE)	
	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City
CASES TRIED BY COUNTY & CIRCUIT																								
Civil																								
Court Trials	52	6	94	29	177	399	2	24	14	344	278	119	74	117	294	67	267	190	627	110	458	2,605	81	1,164
Jury Trials	8	2	12	14	5	16	2	6	7	147	21	17	4	46	135	17	53	33	141	18	27	324	10	222
Criminal																								
Court Trials	80	21	112	280	10	52	0	10	18	217	67	17	2	37	367	98	69	13	189	17	6	8	1	765
Jury Trials	35	21	94	46	30	60	3	12	29	96	33	30	2	95	83	21	24	28	417	12	29	249	13	402
COUNTY TOTALS																								
Court Trials	132	27	206	309	187	451	2	34	32	561	345	136	76	154	661	165	336	203	816	127	464	2,613	82	1,929
Jury Trials	43	23	106	60	35	76	5	18	36	243	54	47	6	141	218	38	77	61	558	30	56	573	23	624
TOTAL	175	50	312	369	222	527	7	52	68	804	399	183	82	295	879	203	413	264	1,374	157	520	3,186	105	2,553
CIRCUIT TOTALS																								
Court Trials	674	550	308	308	284	276	89	256	226	4,403	997	258	209	669	6,355	977	2,897	611	9,579	352	1,346	16,658	826	2,022
Jury Trials	232	1,380	763	763	612	1,409	394	524	359	8,702	3,214	769	120	1,330	5,363	2,350	2,499	1,379	29,654	705	1,391	15,424	1,481	15,916
TOTAL	906	1,880	1,071	1,071	896	1,685	1,250	780	585	13,105	13,101	1,027	329	2,000	11,718	12,247	5,396	11,953	10,533	1,057	28,082	22,109	3,507	19,438
CIVIL, CRIMINAL, AND JUVENILE HEARINGS																								
Civil Hearings	731	491	550	308	284	276	89	256	226	4,403	997	258	209	669	6,355	977	2,897	611	9,579	352	1,346	16,658	826	2,022
Criminal Hearings	384	162	1,380	763	612	1,409	394	524	359	8,702	3,214	769	120	1,330	5,363	2,350	2,499	1,379	29,654	705	1,391	15,424	1,481	15,916
Juvenile Hearings	113	77	241	252	196	590	43	207	229	4,241	983	266	216	730	4,875	785	920	614	3,695	811	1,320	13,071	709	30,057
COUNTY TOTALS	1,228	730	2,171	1,323	1,092	2,275	526	987	814	17,346	5,194	1,293	545	2,729	16,593	4,112	6,316	2,604	42,928	1,868	4,057	45,153	3,016	47,995
CIRCUIT TOTALS																								
Court Trials	674	550	308	308	284	276	89	256	226	4,403	997	258	209	669	6,355	977	2,897	611	9,579	352	1,346	16,658	826	2,022
Jury Trials	232	1,380	763	763	612	1,409	394	524	359	8,702	3,214	769	120	1,330	5,363	2,350	2,499	1,379	29,654	705	1,391	15,424	1,481	15,916
TOTAL	906	1,880	1,071	1,071	896	1,685	1,250	780	585	13,105	13,101	1,027	329	2,000	11,718	12,247	5,396	11,953	10,533	1,057	28,082	22,109	3,507	19,438

NOTE: Information on criminal court trials and jury trials in Baltimore City obtained from statistical records maintained by the Criminal Assignment Office. Also, some differences may exist in the number of court trials for courts of similar size due to the recording of these events under incorrect headings.

TABLE CC-11

**HEARINGS, HEARING DAYS, COURT TRIALS, COURT DAYS,
JURY TRIALS, JURY DAYS, TOTAL JUDICIAL PROCEEDINGS,
AND TOTAL COURTROOM DAYS BY COUNTY**

**JULY 1, 1987—JUNE 30, 1988
FISCAL 1988**

	Hearings	Hearing Days	Court Trials	Court Days	Jury Trials	Jury Days	Total Judicial Proceedings	Total Courtroom Days
FIRST CIRCUIT								
Dorchester	1,228	1,229	132	139	43	53	1,403	1,421
Somerset	730	730	27	28	23	29	780	787
Wicomico	2,171	2,171	206	211	106	124	2,483	2,506
Worcester	1,323	1,324	309	312	60	71	1,692	1,707
SECOND CIRCUIT								
Caroline	1,092	1,092	187	189	35	38	1,314	1,319
Cecil	2,275	2,275	451	457	76	114	2,802	2,846
Kent	526	526	2	2	5	9	533	537
Queen Anne's	987	988	34	39	18	19	1,039	1,046
Talbot	814	816	32	41	36	69	882	926
THIRD CIRCUIT								
Baltimore	17,346	17,458	561	656	243	669	18,150	18,783
Harford	5,194	5,204	345	395	54	162	5,593	5,761
FOURTH CIRCUIT								
Allegany	1,293	1,293	136	138	47	58	1,476	1,489
Garrett	545	550	76	79	6	9	627	638
Washington	2,729	2,736	154	157	141	156	3,024	3,049
FIFTH CIRCUIT								
Anne Arundel	16,593	16,861	661	768	218	535	17,472	18,164
Carroll	4,112	4,124	165	190	38	69	4,315	4,383
Howard	6,316	6,353	336	391	77	210	6,729	6,954
SIXTH CIRCUIT								
Frederick	2,604	2,608	203	226	61	103	2,868	2,937
Montgomery	42,928	43,116	816	1,028	558	801	44,302	44,945
SEVENTH CIRCUIT								
Calvert	1,868	1,869	127	134	30	38	2,025	2,041
Charles	4,057	4,062	464	471	56	76	4,577	4,609
Prince George's	45,153	45,218	2,613	2,685	573	1,414	48,339	49,317
St. Mary's	3,016	3,017	82	86	23	29	3,121	3,132
EIGHTH CIRCUIT								
Baltimore City	47,995	48,061	1,929	1,966	624	817	50,548	50,844
STATE	212,895	213,681	10,048	10,788	3,151	5,672	226,094	230,141

NOTE: Information on criminal court trials and jury trials in Baltimore City obtained from statistical records maintained by the Criminal Assignment Office. Also, some differences may exist in the number of court trials for courts of similar size due to the recording of these events under incorrect headings.

TABLE CC-12

**APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES AND
PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING FROM THE DISTRICT COURT**

**JULY 1, 1987—JUNE 30, 1988
FISCAL 1988**

	1ST CIRCUIT			2ND CIRCUIT			3RD CIRCUIT			4TH CIRCUIT			5TH CIRCUIT			6TH CIRCUIT			7TH CIRCUIT			8TH CIRCUIT	TOTAL (STATE)						
	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's			Talbot	Baltimore	Harford	Allegany		Garrett	Washington	Anne Arundel		Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	
APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES																													
LAW																													
District Court—De Novo	2	0	5	4	7	7	1	3	3			113	21	4	3	0			35	2	17	18	106	9	9	27	1	156	553
—On Record	1	1	6	13	2	6	0	1	2			89	14	6	3	2			17	1	20	11	44	2	6	11	1	0	259
Administrative Agencies	22	16	25	36	16	32	15	7	17			508	142	74	15	53			402	57	96	56	71	26	43	136	27	381	2,273
Total	25	17	36	53	25	45	16	11	22			710	177	84	21	55			454	60	133	85	221	37	58	174	29	537	3,085
CRIMINAL																													
Motor Vehicle	24	5	12	55	11	72	8	12	20			684	95	21	6	44			111	110	161	66	433	12	10	128	9	357	2,466
Other	16	7	39	21	13	35	6	12	14			287	31	17	3	66			99	44	56	17	229	13	30	125	13	306	1,499
Total	40	12	51	76	24	107	14	24	34			971	126	38	9	110			210	154	217	83	662	25	40	253	22	663	3,965
TOTAL	65	29	87	129	49	152	30	35	56			1,681	303	122	30	165			664	214	350	168	883	62	98	427	51	1,200	7,050
PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING FROM THE DISTRICT COURT																													
Prayers for Jury Trials and Appeals:																													
County	273	166	721	606	152	490	122	191	201			5,856	1,694	203	33	627			1,605	1,017	1,292	438	4,767	135	199	3,402	838	9,641	34,669
Circuit			1,766			1,156						7,550			863				3,914			5,205			4,574		9,641	34,669	
Circuit Court Filings:																													
County	1,726	1,108	2,994	2,102	1,180	2,897	643	1,045	1,174			25,509	6,459	2,052	906	4,505			15,717	4,049	5,845	3,805	24,167	1,695	4,733	35,314	3,335	53,058	206,018
Circuit			7,930			6,939						31,968			7,463				25,611			27,972				45,077		53,058	206,018
Percentage of Circuit Court Filings that are Jury Trials and Appeals:																													
County	15.8	15.0	24.1	28.8	12.9	16.9	19.0	18.3	17.1			23.0	26.2	10.0	3.6	13.9			10.2	25.1	22.1	11.5	19.7	8.0	4.2	9.6	25.1	18.2	16.8
Circuit			22.3			16.7						23.6			11.6				15.3			18.6			10.1		18.2	16.8	

TABLE CC-13
AVERAGE DAYS FROM FILING TO DISPOSITION

	Civil			Criminal			Juvenile		
	1985-86	1986-87	1987-88	1985-86	1986-87	1987-88	1985-86	1986-87	1987-88
FIRST CIRCUIT									
Dorchester	141	148	172	113	121	98	32	37	31
Somerset	116	98	109	115	128	132	14	19	12
Wicomico	154	179	185	89	97	94	34	35	37
Worcester	174	177	163	110	112	124	59	58	56
SECOND CIRCUIT									
Caroline	197	179	165	163	160	170	50	50	72
Cecil	152	143	156	159	146	150	46	56	56
Kent	107	141	179	129	125	113	38	37	43
Queen Anne's	160	181	182	123	134	134	35	47	51
Talbot	158	163	171	126	186	174	69	60	57
THIRD CIRCUIT									
Baltimore	210	213	207	106	125	105	51	48	46
Harford	176	186	187	161	166	147	55	59	38
FOURTH CIRCUIT									
Allegany	232	216	282	144	165	173	38	67	57
Garrett	189	187	167	160	124	107	51	38	50
Washington	170	182	175	157	146	129	43	43	40
FIFTH CIRCUIT									
Anne Arundel	184	228	203	143	149	150	74	80	84
Carroll	151	187	180	150	161	199	69	82	78
Howard	225	262	256	131	135	138	64	72	65
SIXTH CIRCUIT									
Frederick	173	184	185	111	128	155	68	70	78
Montgomery	245	242	258	168	178	175	85	106	108
SEVENTH CIRCUIT									
Calvert	189	191	193	105	95	98	77	81	94
Charles	193	192	181	154	141	146	66	65	68
Prince George's	241	206	217	109	111	114	64	71	72
St. Mary's	184	173	186	114	127	149	73	82	94
EIGHTH CIRCUIT									
Baltimore City	194	243	216	76	81	90	68	65	65
STATE	204	214	213	106	112	120	66	66	67

NOTE: A small number of lengthy cases can increase an average, particularly in a jurisdiction with a small caseload. For that reason, civil cases over 721 days old, criminal cases over 360 days old, and juvenile causes over 271 days old have been excluded in the above calculations. Approximately 90 to 95 percent of the cases are disposed of within those time periods.

TABLE CC-14
POPULATION IN RELATION TO CIRCUIT COURT CASELOAD*
JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	POPULATION	POPULATION AND CASELOAD PER CIRCUIT COURT JUDGE				CASES FILED IN THE CIRCUIT COURT PER THOUSAND POPULATION			RATIO OF JURY TRIALS TO POPULATION	
		No. of Judges	Population Per Judge	Cases Filed Per Judge		Cases Terminated Per Judge		Total	No. of Jury Trials	Per 1000 Population
				Civil**	Criminal	Civil**	Criminal			
FIRST CIRCUIT										
Dorchester	29,900	1	29,900	1,286	440	1,134	399	43 15 58	43	1.44
Somerset	19,600	1	19,600	870	238	826	182	44 12 56	23	1.17
Wicomico	72,000	2	36,000	917	581	856	560	25 16 41	106	1.47
Worcester	37,900	2	18,950	653	398	647	377	34 21 55	60	1.58
SECOND CIRCUIT										
Caroline	24,900	1	24,900	920	260	908	280	37 10 47	35	1.41
Cecil	70,100	2	35,050	1,089	360	930	309	31 10 41	76	1.08
Kent	17,000	1	17,000	423	220	412	158	25 13 38	5	0.29
Queen Anne's	31,400	1	31,400	733	312	696	304	23 10 33	18	0.57
Talbot	27,700	1	27,700	828	346	773	236	30 12 42	36	1.30
THIRD CIRCUIT										
Baltimore	681,000	13	52,385	1,292	671	1,175	562	25 13 38	243	0.36
Harford	164,600	4	41,150	1,033	582	1,110	475	25 14 39	54	0.33
FOURTH CIRCUIT										
Allegany	73,500	2	36,750	842	185	1,013	222	23 5 28	47	0.64
Garrett	26,100	1	26,100	822	84	814	75	31 3 34	6	0.23
Washington	116,700	3	38,900	1,124	377	1,059	352	29 10 39	141	1.21
FIFTH CIRCUIT										
Anne Arundel	418,800	9	46,533	1,339	408	997	311	29 9 38	218	0.52
Carroll	117,500	2	58,750	1,312	713	1,290	616	22 12 34	38	0.32
Howard	161,700	4	40,425	932	530	927	489	23 13 36	77	0.48
SIXTH CIRCUIT										
Frederick	137,900	3	45,967	968	300	832	263	21 7 28	61	0.44
Montgomery	700,000	13	53,846	1,108	548	887	499	21 10 31	558	0.80
SEVENTH CIRCUIT										
Calvert	46,800	1	46,800	1,273	422	1,232	368	27 9 36	30	0.64
Charles	94,900	2	47,450	1,890	477	1,686	443	40 10 50	56	0.59
Prince George's	688,300	16	43,019	1,750	457	1,557	439	41 11 52	573	0.83
St. Mary's	71,000	1	71,000	2,219	1,116	1,923	1,019	31 16 47	23	0.32
EIGHTH CIRCUIT										
Baltimore City	750,900	23	32,648	1,622	685	1,438	637	50 21 71	624	0.83
STATE	4,580,200	109	42,020	1,334	531	1,185	477	32 13 45	3,151	0.69

*Population estimate for July 1, 1988, issued by the Maryland Center for Health Statistics.

**Juvenile causes in Montgomery County are not included since they are heard at the District Court level. Juvenile causes in all other counties are included in the civil category.

TABLE CC-15
FIVE-YEAR COMPARATIVE TABLE
CASES FILED AND TERMINATED PER JUDGE
FISCAL 1984—FISCAL 1988

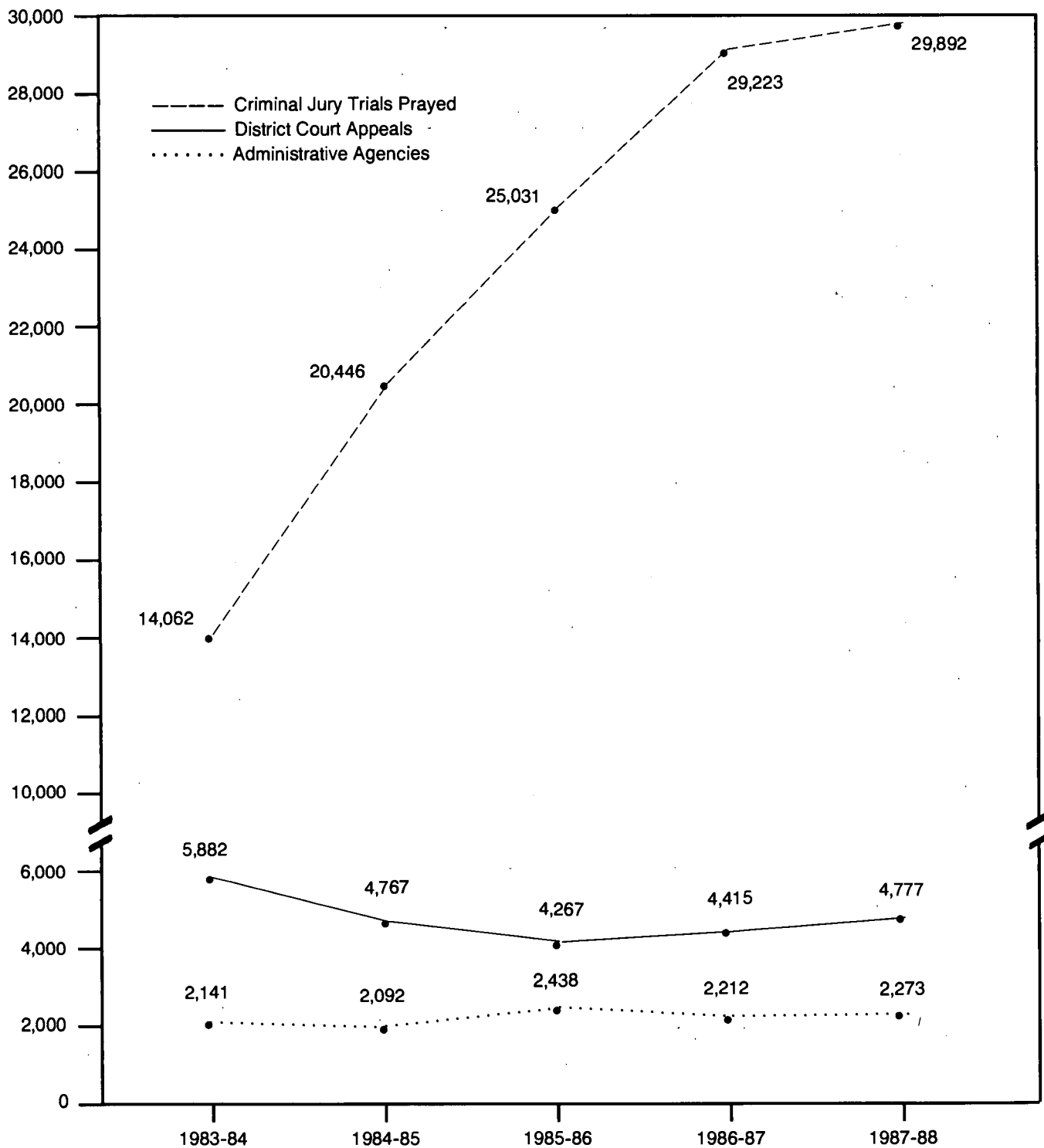
	FILED		TERMINATED	
	Civil*	Criminal	Civil*	Criminal
1983-1984	1,205	353	1,092	331
1984-1985	1,209	397	1,049	369
1985-1986	1,262	446	1,034	395
1986-1987	1,272	507	1,068	412
1987-1988	1,334	531	1,185	477

*Juvenile causes in Montgomery County are not included since they are heard at the District Court level. Juvenile causes in all other counties are included in the civil category.

TABLE CC-16
FIVE-YEAR COMPARATIVE TABLE
APPEALS FROM THE DISTRICT COURT AND ADMINISTRATIVE AGENCIES
FISCAL 1984—1988

	1983-1984		1984-1985		1985-1986		1986-1987		1987-1988	
	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies
FIRST CIRCUIT	286	64	217	80	156	73	151	115	211	99
Dorchester	41	15	35	22	29	19	31	58	43	22
Somerset	15	2	12	6	13	3	13	12	13	16
Wicomico	112	26	82	26	59	23	46	26	62	25
Worcester	118	21	88	26	55	28	61	19	93	36
SECOND CIRCUIT	141	42	171	74	162	130	192	81	235	87
Caroline	19	0	15	4	20	9	20	6	33	16
Cecil	61	20	97	31	76	59	95	39	120	32
Kent	11	6	11	8	18	18	15	7	15	15
Queen Anne's	24	11	23	18	15	17	31	14	28	7
Talbot	26	5	25	13	33	27	31	15	39	17
THIRD CIRCUIT	1,074	433	1,007	494	982	568	1,208	512	1,334	650
Baltimore	907	361	879	402	860	475	1,066	418	1,173	508
Harford	167	72	128	92	122	93	142	94	161	142
FOURTH CIRCUIT	213	120	186	148	150	102	155	113	175	142
Allegany	93	39	88	65	76	52	47	59	48	74
Garrett	13	10	16	18	14	13	24	13	15	15
Washington	107	71	82	65	60	37	84	41	112	53
FIFTH CIRCUIT	1,045	298	762	357	752	421	678	475	673	555
Anne Arundel	612	183	384	225	369	283	344	366	262	402
Carroll	196	49	148	41	153	47	117	41	157	57
Howard	237	66	230	91	230	91	217	68	254	96
SIXTH CIRCUIT	973	295	745	317	668	314	646	254	924	127
Frederick	104	36	102	29	45	40	79	40	112	56
Montgomery	869	259	643	288	623	274	567	214	812	71
SEVENTH CIRCUIT	873	440	470	408	492	416	434	294	406	232
Calvert	69	29	39	26	31	37	41	36	36	26
Charles	51	40	51	30	67	32	103	27	55	43
Prince George's	684	351	353	336	363	235	281	170	291	136
St. Mary's	69	20	27	16	31	112	9	61	24	27
EIGHTH CIRCUIT	1,277	449	1,209	214	905	414	951	368	819	381
Baltimore City	1,277	449	1,209	214	905	414	951	368	819	381
STATE	5,882	2,141	4,767	2,092	4,267	2,438	4,415	2,212	4,777	2,273

TABLE CC-17

**FIVE-YEAR COMPARATIVE GRAPH
APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES**

NOTE: Jury trial prayers are slightly higher in Table CC-17 than in Table CC-5 because the data for Baltimore City is based on defendants in Table CC-5. In Table CC-17, the Baltimore City data is based on incidence.

TABLE CC-18

FIVE-YEAR COMPARATIVE TABLE
POST CONVICTION CASES FILED

FISCAL 1984—FISCAL 1988

	1983-84	1984-85	1985-86	1986-87	1987-88
FIRST CIRCUIT	15	4	5	0	1
Dorchester	14	4	5	0	0
Somerset	0	0	0	0	0
Wicomico	1	0	0	0	0
Worcester	0	0	0	0	1
SECOND CIRCUIT	15	4	5	6	17
Caroline	8	1	1	0	8
Cecil	2	3	1	5	8
Kent	0	0	0	1	1
Queen Anne's	5	0	0	0	0
Talbot	0	0	3	0	0
THIRD CIRCUIT	13	5	9	5	13
Baltimore	0	0	1	2	0
Harford	13	5	8	3	13
FOURTH CIRCUIT	30	17	16	13	23
Allegany	0	0	0	0	0
Garrett	5	2	2	0	8
Washington	25	15	14	13	15
FIFTH CIRCUIT	24	17	18	33	30
Anne Arundel	0	11	9	26	21
Carroll	0	0	2	1	0
Howard	24	6	7	6	9
SIXTH CIRCUIT	21	39	24	9	5
Frederick	0	0	0	0	0
Montgomery	21	39	24	9	5
SEVENTH CIRCUIT	92	97	85	122	21
Calvert	1	6	5	5	5
Charles	14	14	5	9	7
Prince George's	75	74	73	108	9
St. Mary's	2	3	2	0	0
EIGHTH CIRCUIT	191	172	128	147	117
Baltimore City	191	172	128	147	117
STATE	401	355	290	335	227

TABLE CC-19
APPLICATIONS FOR REVIEW OF CRIMINAL SENTENCES
JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Filed During Year	Withdrawn by Applicant	TERMINATED, CONSIDERED AND DISPOSED OF		
			Original Sentence Unchanged	Original Sentence Increased	Original Sentence Decreased
FIRST CIRCUIT					
Dorchester	3	0	3	0	0
Somerset	0	0	0	0	0
Wicomico	1	0	1	0	0
Worcester	7	1	12	0	0
SECOND CIRCUIT					
Caroline	16	0	3	0	0
Cecil	11	2	9	0	0
Kent	0	0	0	0	0
Queen Anne's	0	0	0	0	0
Talbot	0	0	0	0	0
THIRD CIRCUIT					
Baltimore	14	0	19	0	0
Harford	6	0	3	0	0
FOURTH CIRCUIT					
Allegany	10	5	9	0	0
Garrett	4	0	2	0	0
Washington	38	3	31	0	4
FIFTH CIRCUIT					
Anne Arundel	5	0	3	0	0
Carroll	4	0	0	0	0
Howard	4	0	4	0	0
SIXTH CIRCUIT					
Frederick	36	1	17	0	0
Montgomery	0	0	0	0	0
SEVENTH CIRCUIT					
Calvert	5	2	2	0	1
Charles	17	0	15	1	1
Prince George's	41	3	35	0	1
St. Mary's	0	0	5	0	0
EIGHTH CIRCUIT					
Baltimore City	74	4	62	0	0
STATE	296	21	235	1	7

TABLE CC-20
FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES
FILINGS AND TERMINATIONS
FISCAL 1984—FISCAL 1988

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1983-84		1984-85		1985-86		1986-87		1987-88	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	4,441	4,214	4,244	3,917	4,797	4,815	4,550	4,342	4,719	4,392
Dorchester	941	861	1,071	1,014	1,415	1,579	1,398	1,271	1,190	1,036
Somerset	650	637	562	499	687	708	700	654	783	742
Wicomico	1,774	1,725	1,425	1,363	1,450	1,319	1,358	1,310	1,650	1,524
Worcester	1,076	991	1,186	1,041	1,245	1,209	1,094	1,107	1,096	1,090
SECOND CIRCUIT	3,823	3,545	3,978	3,771	3,989	3,700	3,917	3,441	4,373	3,964
Caroline	499	491	673	555	697	729	656	547	832	807
Cecil	1,514	1,353	1,701	1,612	1,601	1,428	1,626	1,428	1,875	1,589
Kent	310	284	270	297	379	297	451	445	376	370
Queen Anne's	753	702	671	704	644	626	563	562	619	579
Talbot	747	715	663	603	668	620	621	459	671	619
THIRD CIRCUIT	13,328	12,262	14,168	11,591	15,153	11,933	14,547	12,061	16,676	15,351
Baltimore	10,507	10,039	11,200	9,472	12,044	9,758	11,633	9,640	13,365	11,899
Harford	2,821	2,233	2,968	2,119	3,109	2,175	2,914	2,421	3,311	3,452
FOURTH CIRCUIT	3,620	3,239	4,016	3,735	4,372	3,788	4,381	3,558	4,827	4,983
Allegany	954	705	1,048	919	1,134	864	1,221	774	1,388	1,739
Garrett	511	539	510	518	503	498	541	537	676	659
Washington	2,155	1,995	2,458	2,298	2,735	2,426	2,619	2,247	2,763	2,585
FIFTH CIRCUIT	14,583	13,985	16,743	14,166	16,320	12,573	14,110	13,338	14,206	11,199
Anne Arundel	10,901	10,535	12,645	10,369	11,967	8,810	9,835	9,453	9,012	6,038
Carroll	1,667	1,532	1,784	1,549	1,883	1,718	1,895	1,785	2,013	1,919
Howard	2,015	1,918	2,314	2,248	2,470	2,045	2,380	2,100	3,181	3,242
SIXTH CIRCUIT	13,667	12,587	13,838	13,474	14,492	12,331	14,944	11,627	16,976	13,706
Frederick	1,957	1,796	1,883	1,901	2,134	1,957	2,274	1,866	2,573	2,173
Montgomery	11,710	10,791	11,955	11,573	12,358	10,374	12,670	9,761	14,403	11,533
SEVENTH CIRCUIT	22,378	23,357	21,695	17,076	23,406	18,139	26,462	24,648	27,374	24,023
Calvert	839	668	798	746	896	892	914	888	959	916
Charles	1,692	1,594	1,860	1,705	2,212	2,104	2,990	2,535	3,063	2,660
Prince George's	18,738	20,046	18,046	13,729	19,309	14,269	20,817	19,652	21,451	18,758
St. Mary's	1,109	1,049	991	896	989	874	1,741	1,573	1,901	1,689
EIGHTH CIRCUIT	18,746	13,181	23,348	18,076	24,187	16,367	23,282	11,879	23,494	20,154
Baltimore City	18,746	13,181	23,348	18,076	24,187	16,367	23,282	11,879	23,494	20,154
STATE	94,586	86,370	102,030	85,806	106,716	83,646	106,193	84,894	112,645	97,772

NOTE: In most instances, a civil case is reopened statistically at the time a pleading is filed (i.e. a Motion for Modification of Decree is filed in a divorce case after the final decree has been issued). In a few jurisdictions in Maryland, a civil case is not reopened statistically until the time a hearing is held on a case with post-judgment activity.

TABLE CC-21
CIVIL CASES
RATIO OF TRIALS TO DISPOSITIONS
JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Dispositions	Trials	Per- centages	Court Trials	Per- centages	Jury Trials	Per- centages
FIRST CIRCUIT	4,392	217	4.9	181	4.1	36	0.8
Dorchester	1,036	60	5.8	52	5.0	8	0.8
Somerset	742	8	1.1	6	0.8	2	0.3
Wicomico	1,524	106	7.0	94	6.2	12	0.8
Worcester	1,090	43	3.9	29	2.6	14	1.3
SECOND CIRCUIT	3,964	652	16.4	616	15.5	36	0.9
Caroline	807	182	22.5	177	21.9	5	0.6
Cecil	1,589	415	26.1	399	25.1	16	1.0
Kent	370	4	1.1	2	0.5	2	0.5
Queen Anne's	579	30	5.2	24	4.1	6	1.0
Talbot	619	21	3.4	14	2.3	7	1.1
THIRD CIRCUIT	15,351	790	5.1	622	4.0	168	1.1
Baltimore	11,899	491	4.1	344	2.9	147	1.2
Harford	3,452	299	8.7	278	8.1	21	0.6
FOURTH CIRCUIT	4,983	377	7.6	310	6.2	67	1.3
Allegany	1,739	136	7.8	119	6.8	17	1.0
Garrett	659	78	11.8	74	11.2	4	0.6
Washington	2,585	163	6.3	117	4.5	46	1.8
FIFTH CIRCUIT	11,199	833	7.4	628	5.6	205	1.8
Anne Arundel	6,038	429	7.1	294	4.9	135	2.2
Carroll	1,919	84	4.4	67	3.5	17	0.9
Howard	3,242	320	9.9	267	8.2	53	1.6
SIXTH CIRCUIT	13,706	991	7.2	817	6.0	174	1.2
Frederick	2,173	223	10.3	190	8.7	33	1.5
Montgomery	11,533	768	6.6	627	5.4	141	1.2
SEVENTH CIRCUIT	24,023	3,633	15.1	3,254	13.5	379	1.6
Calvert	916	128	14.0	110	12.0	18	2.0
Charles	2,660	485	18.2	458	17.2	27	1.0
Prince George's	18,758	2,929	15.6	2,605	13.9	324	1.7
St. Mary's	1,689	91	5.4	81	4.8	10	0.6
EIGHTH CIRCUIT	20,154	1,386	6.9	1,164	5.8	222	1.1
Baltimore City	20,154	1,386	6.9	1,164	5.8	222	1.1
STATE	97,772	8,879	9.1	7,592	7.8	1,287	1.3

TABLE CC-22
FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES TRIED

FISCAL 1984—FISCAL 1988

	1983-84	1984-85	1985-86	1986-87	1987-88
FIRST CIRCUIT	173	264	226	260	217
Dorchester	18	36	27	38	60
Somerset	25	24	17	37	8
Wicomico	85	112	117	94	106
Worcester	45	92	65	91	43
SECOND CIRCUIT	401	551	494	556	652
Caroline	50	104	113	155	182
Cecil	266	381	340	360	415
Kent	21	16	7	7	4
Queen Anne's	52	42	21	18	30
Talbot	12	8	13	16	21
THIRD CIRCUIT	1,025	827	935	901	790
Baltimore	515	437	481	460	491
Harford	510	390	454	441	299
FOURTH CIRCUIT	311	262	342	315	377
Allegany	74	98	160	141	136
Garrett	109	90	85	87	78
Washington	128	74	97	87	163
FIFTH CIRCUIT	1,104	647	878	719	833
Anne Arundel	614	304	472	398	429
Carroll	300	124	193	61	84
Howard	190	219	213	260	320
SIXTH CIRCUIT	2,209	859	1,086	1,603	991
Frederick	370	263	300	307	223
Montgomery	1,839	596	786	1,296	768
SEVENTH CIRCUIT	1,415	1,466	3,194	3,613	3,633
Calvert	113	127	161	119	128
Charles	311	338	467	388	485
Prince George's	943	918	2,523	3,083	2,929
St. Mary's	48	83	43	23	91
EIGHTH CIRCUIT	1,343	1,635	1,210	1,092	1,386
Baltimore City	1,343	1,635	1,210	1,092	1,386
STATE	7,981	6,511	8,365	9,059	8,879

NOTE: See note on Table CC-10.

TABLE CC-23

**CIVIL—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES
AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN
SPECIFIC TIME PERIODS**

**JULY 1, 1987—JUNE 30, 1988
FISCAL 1988**

	Number of Cases	AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
		All Cases	Excluding Cases Over 721 Days	61 Days	181 Days	361 Days	721 Days	1081 Days
FIRST CIRCUIT								
Dorchester	569	236	172	34.6	60.8	77.2	93.5	97.5
Somerset	330	174	109	55.2	76.1	86.4	95.2	97.6
Wicomico	1,152	258	185	33.5	58.1	72.9	90.5	98.2
Worcester	901	187	163	31.4	60.9	84.1	97.6	99.6
SECOND CIRCUIT								
Caroline	463	209	165	25.9	64.4	84.0	95.5	97.8
Cecil	962	195	156	36.6	64.6	82.7	95.4	98.5
Kent	282	238	179	30.1	60.6	75.2	92.2	98.9
Queen Anne's	377	221	182	29.4	62.3	76.7	95.0	99.2
Talbot	466	253	171	31.5	60.1	75.1	89.9	97.9
THIRD CIRCUIT								
Baltimore	10,593	332	207	26.5	51.1	64.7	84.9	95.4
Harford	2,626	679	187	22.0	43.0	56.3	69.2	75.7
FOURTH CIRCUIT								
Allegany	1,476	896	282	8.9	28.9	42.3	68.1	78.7
Garrett	408	189	167	36.5	63.7	80.4	98.0	99.3
Washington	1,843	230	175	36.4	63.0	75.9	93.7	98.1
FIFTH CIRCUIT								
Anne Arundel	4,708	308	203	19.7	52.9	73.4	90.5	94.7
Carroll	1,541	286	180	24.7	56.1	72.7	86.6	97.3
Howard	2,779	509	256	10.5	37.2	56.8	81.6	88.5
SIXTH CIRCUIT								
Frederick	1,769	258	185	26.3	58.7	75.4	91.9	97.7
Montgomery	9,679	355	258	14.6	41.4	61.5	88.1	96.4
SEVENTH CIRCUIT								
Calvert	804	257	193	27.1	57.0	73.4	91.7	98.0
Charles	1,436	229	181	26.7	61.3	79.0	94.8	98.1
Prince George's	13,637	325	217	16.2	47.4	68.5	86.5	97.3
St. Mary's	987	266	186	23.4	57.4	75.4	90.8	98.0
EIGHTH CIRCUIT								
Baltimore City	19,427	375	216	22.9	47.5	61.2	80.7	94.6
STATE	79,215	354	213	21.7	49.0	65.9	85.3	94.9

NOTE: Does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. See also note to Table CC-13.

TABLE CC-24
FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES
FILINGS AND TERMINATIONS
FISCAL 1984—FISCAL 1988

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1983-84		1984-85		1985-86		1986-87		1987-88	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	1,489	1,494	1,594	1,512	2,142	1,815	2,498	2,363	2,635	2,454
Dorchester	215	190	260	253	286	246	310	305	440	399
Somerset	108	122	155	150	190	139	228	211	238	182
Wicomico	668	685	632	637	976	829	1,050	1,031	1,161	1,119
Worcester	498	497	547	472	690	601	910	816	796	754
SECOND CIRCUIT	915	908	956	925	1,219	1,004	1,568	1,335	1,858	1,595
Caroline	123	124	142	116	179	166	281	210	260	280
Cecil	465	416	429	461	456	391	582	471	720	617
Kent	48	56	54	57	127	88	169	158	220	158
Queen Anne's	165	161	165	170	194	180	261	220	312	304
Talbot	114	151	166	121	263	179	275	276	346	236
THIRD CIRCUIT	6,378	5,649	7,136	6,033	8,871	7,170	10,573	8,619	11,046	9,200
Baltimore	5,211	4,806	5,799	4,976	7,374	5,924	8,717	7,099	8,719	7,301
Harford	1,167	843	1,337	1,066	1,497	1,246	1,856	1,520	2,327	1,899
FOURTH CIRCUIT	729	718	844	770	1,042	841	1,299	1,136	1,585	1,574
Allegany	219	178	248	232	362	286	341	323	369	444
Garrett	86	109	113	85	91	107	105	119	84	75
Washington	424	431	483	453	589	448	853	694	1,132	1,055
FIFTH CIRCUIT	5,010	4,116	5,135	4,870	5,643	5,063	6,516	5,432	7,214	5,985
Anne Arundel	2,493	1,925	2,562	2,313	2,822	2,413	3,380	2,707	3,669	2,798
Carroll	1,196	980	1,134	1,218	1,162	1,117	1,224	910	1,426	1,231
Howard	1,321	1,211	1,439	1,339	1,659	1,533	1,912	1,815	2,119	1,956
SIXTH CIRCUIT	4,538	3,754	5,465	4,443	5,960	4,408	6,993	3,337	8,020	7,277
Frederick	357	317	487	472	644	473	786	645	900	788
Montgomery	4,181	3,437	4,978	3,971	5,316	3,935	6,207	2,692	7,120	6,489
SEVENTH CIRCUIT	6,747	6,609	7,987	7,208	8,654	7,854	9,649	8,639	9,806	9,301
Calvert	206	193	342	281	369	352	316	346	422	368
Charles	571	517	613	571	774	646	948	812	954	885
Prince George's	5,645	5,607	6,707	6,038	7,138	6,497	7,559	6,945	7,314	7,029
St. Mary's	325	292	325	318	373	359	826	536	1,116	1,019
EIGHTH CIRCUIT	10,932	11,210	13,430	13,772	15,129	14,859	16,151	14,049	15,759	14,653
Baltimore City	10,932	11,210	13,430	13,772	15,129	14,859	16,151	14,049	15,759	14,653
STATE	36,738	34,458	42,547	39,533	48,660	43,014	55,247	44,910	57,923	52,039

TABLE CC-25
CRIMINAL CASES
RATIO OF TRIALS TO DISPOSITIONS
JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Dispositions	Trials	Per- centages	Court Trials	Per- centages	Jury Trials	Per- centages
FIRST CIRCUIT	2,454	689	28.1	493	20.1	196	8.0
Dorchester	399	115	28.8	80	20.0	35	8.8
Somerset	182	42	23.1	21	11.5	21	11.5
Wicomico	1,119	206	18.4	112	10.0	94	8.4
Worcester	754	326	43.2	280	37.1	46	6.1
SECOND CIRCUIT	1,595	224	14.0	90	5.6	134	8.4
Caroline	280	40	14.3	10	3.6	30	10.7
Cecil	617	112	18.1	52	8.4	60	9.7
Kent	158	3	1.9	0	0.0	3	1.9
Queen Anne's	304	22	7.2	10	3.3	12	3.9
Talbot	236	47	19.9	18	7.6	29	12.3
THIRD CIRCUIT	9,200	413	4.5	284	3.1	129	1.4
Baltimore	7,301	313	4.3	217	3.0	96	1.3
Harford	1,899	100	5.3	67	3.5	33	1.7
FOURTH CIRCUIT	1,574	183	11.6	56	3.5	127	8.1
Allegany	444	47	10.6	17	3.8	30	6.8
Garrett	75	4	5.3	2	2.7	2	2.7
Washington	1,055	132	12.5	37	3.5	95	9.0
FIFTH CIRCUIT	5,985	662	11.0	534	8.9	128	2.1
Anne Arundel	2,798	450	16.1	367	13.1	83	3.0
Carroll	1,231	119	9.7	98	8.0	21	1.7
Howard	1,956	93	4.7	69	3.5	24	1.2
SIXTH CIRCUIT	7,277	647	8.9	202	2.8	445	6.1
Frederick	788	41	5.2	13	1.6	28	3.6
Montgomery	6,489	606	9.3	189	2.9	417	6.4
SEVENTH CIRCUIT	9,301	335	3.6	32	0.3	303	3.3
Calvert	368	29	7.9	17	4.6	12	3.3
Charles	885	35	4.0	6	0.7	29	3.3
Prince George's	7,029	257	3.6	8	0.1	249	3.5
St. Mary's	1,019	14	1.4	1	0.1	13	1.3
EIGHTH CIRCUIT	14,653	1,167	8.0	765	5.3	402	2.7
Baltimore City	14,653	1,167	8.0	765	5.3	402	2.7
STATE	52,039	4,320	8.3	2,456	4.7	1,864	3.6

NOTE: See note on Table CC-10.

TABLE CC-26
FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES TRIED

FISCAL 1984—FISCAL 1988

	1983-84	1984-85	1985-86	1986-87	1987-88
FIRST CIRCUIT	599	606	598	805	689
Dorchester	156	153	110	93	115
Somerset	57	60	46	54	42
Wicomico	163	173	186	187	206
Worcester	223	220	256	471	326
SECOND CIRCUIT	378	275	239	363	224
Caroline	79	28	23	59	40
Cecil	86	87	109	125	112
Kent	12	1	5	9	3
Queen Anne's	110	99	52	3	22
Talbot	91	60	50	167	47
THIRD CIRCUIT	2,828	278	291	404	413
Baltimore	2,698	175	188	340	313
Harford	130	103	103	64	100
FOURTH CIRCUIT	172	185	164	179	183
Allegany	77	75	64	50	47
Garrett	21	11	22	17	4
Washington	74	99	78	112	132
FIFTH CIRCUIT	1,512	1,227	813	659	662
Anne Arundel	514	468	422	490	450
Carroll	361	112	96	66	119
Howard	637	647	295	103	93
SIXTH CIRCUIT	348	517	457	503	647
Frederick	82	232	169	44	41
Montgomery	266	285	288	459	606
SEVENTH CIRCUIT	299	253	263	268	335
Calvert	25	30	32	24	29
Charles	36	41	53	56	35
Prince George's	221	161	168	178	257
St. Mary's	17	21	10	10	14
EIGHTH CIRCUIT	1,159	1,126	791	763	1,167
Baltimore City	1,159	1,126	791	763	1,167
STATE	7,295	4,467	3,616	3,944	4,320

NOTE: See note on Table CC-10.

TABLE CC-27

**CRIMINAL—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES
AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN
SPECIFIC TIME PERIODS**

**JULY 1, 1987—JUNE 30, 1988
FISCAL 1988**

	Number of Cases	AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
		All Cases	Excluding Cases Over 360 Days	61 Days	91 Days	121 Days	181 Days	361 Days
FIRST CIRCUIT								
Dorchester	350	99	98	11.4	54.9	77.7	92.6	99.7
Somerset	179	159	132	13.4	20.1	40.8	82.7	97.2
Wicomico	914	94	94	19.5	52.3	77.2	95.2	100.0
Worcester	685	130	124	7.0	18.8	55.9	86.6	98.4
SECOND CIRCUIT								
Caroline	247	176	170	2.4	7.3	19.4	61.1	97.6
Cecil	523	183	150	6.7	13.0	31.7	70.0	97.3
Kent	124	232	113	14.5	29.8	56.5	86.3	94.4
Queen Anne's	203	156	134	9.4	22.7	41.4	76.8	99.0
Talbot	216	189	174	5.6	12.0	19.4	54.6	94.4
THIRD CIRCUIT								
Baltimore	5,700	158	105	23.1	44.6	66.1	83.2	93.7
Harford	1,294	209	147	8.1	25.7	41.3	60.7	87.2
FOURTH CIRCUIT								
Allegany	394	195	173	5.6	15.5	28.7	52.3	91.6
Garrett	63	116	107	28.6	39.7	57.1	85.7	98.4
Washington	903	139	129	13.0	32.8	55.8	75.5	97.2
FIFTH CIRCUIT								
Anne Arundel	2,414	178	150	7.2	18.1	35.7	64.4	93.0
Carroll	1,013	240	199	3.1	7.4	12.6	37.1	91.7
Howard	1,422	190	138	5.1	29.5	47.9	67.9	91.5
SIXTH CIRCUIT								
Frederick	744	191	155	9.5	23.3	33.5	60.1	94.2
Montgomery	5,245	234	175	13.5	18.3	24.2	45.1	84.0
SEVENTH CIRCUIT								
Calvert	261	104	98	23.4	49.0	64.4	93.1	99.2
Charles	545	152	146	7.3	20.0	34.9	74.9	99.1
Prince George's	6,302	127	114	23.8	44.8	58.3	77.9	96.5
St. Mary's	760	233	149	11.6	18.0	27.9	71.4	97.2
EIGHTH CIRCUIT								
Baltimore City	14,653	109	90	41.9	56.0	71.2	84.7	96.3
STATE	45,154	152	120	24.0	39.3	54.6	74.3	94.0

NOTE: Does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. See also note to Table CC-13.

TABLE CC-28
FIVE-YEAR COMPARATIVE TABLE
JUVENILE CAUSES
FILINGS AND TERMINATIONS
FISCAL 1984—FISCAL 1988

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1983-84		1984-85		1985-86		1986-87		1987-88	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	468	493	528	470	613	575	622	608	576	572
Dorchester	149	153	149	141	136	135	157	146	96	98
Somerset	42	40	42	39	63	51	93	86	87	84
Wicomico	141	163	188	171	218	227	196	187	183	187
Worcester	136	137	149	119	196	162	176	189	210	203
SECOND CIRCUIT	631	628	691	672	683	644	774	757	708	684
Caroline	65	68	82	76	101	91	79	79	88	101
Cecil	377	364	354	362	319	302	341	346	302	270
Kent	30	25	48	48	45	42	48	45	47	42
Queen Anne's	73	74	103	103	106	103	127	116	114	117
Talbot	86	97	104	83	112	106	179	171	157	154
THIRD CIRCUIT	3,225	3,191	3,840	3,674	4,463	4,558	4,672	4,499	4,246	4,361
Baltimore	2,634	2,681	3,177	3,076	3,719	3,861	3,975	3,864	3,425	3,372
Harford	591	510	663	598	744	697	697	635	821	989
FOURTH CIRCUIT	1,029	1,013	1,087	1,073	1,231	1,162	999	1,010	1,051	1,034
Allegany	371	349	406	413	439	403	266	295	295	286
Garrett	104	113	95	95	90	87	101	89	146	155
Washington	554	551	586	565	702	672	632	626	610	593
FIFTH CIRCUIT	4,134	3,858	4,159	4,286	4,718	4,369	4,703	4,623	4,191	4,063
Anne Arundel	3,107	2,805	3,043	3,155	3,468	3,246	3,508	3,458	3,036	2,936
Carroll	571	579	625	589	558	492	638	619	610	661
Howard	456	474	491	542	692	631	557	546	545	466
SIXTH CIRCUIT	4,391	3,979	4,169	3,954	4,074	4,148	4,074	3,637	2,976	2,551
Frederick	260	258	348	326	385	372	328	330	332	323
Montgomery*	4,131	3,721	3,821	3,628	3,689	3,776	3,746	3,307	2,644	2,228
SEVENTH CIRCUIT	6,436	6,133	6,384	6,550	7,362	7,198	7,472	7,362	7,897	7,418
Calvert	272	273	327	308	320	338	306	254	314	316
Charles	747	657	722	764	818	799	772	777	716	712
Prince George's	5,270	5,074	5,163	5,333	6,095	5,894	6,149	6,114	6,549	6,156
St. Mary's	147	129	172	145	129	167	245	217	318	234
EIGHTH CIRCUIT	10,443	7,942	10,350	9,379	11,379	10,245	12,869	12,368	13,805	12,909
Baltimore City	10,443	7,942	10,350	9,379	11,379	10,245	12,869	12,368	13,805	12,909
STATE	30,757	27,237	31,208	30,058	34,523	32,899	36,185	34,864	35,450	33,592

*Includes juvenile causes processed at the District Court level.

TABLE CC-29

**JUVENILE—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES
AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN
SPECIFIC TIME PERIODS**

**JULY 1, 1987—JUNE 30, 1988
FISCAL 1988**

	Number of Cases	AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:					
		All Cases	Excluding Cases Over 271 Days	31 Days	61 Days	121 Days	181 Days	271 Days	361 Days
FIRST CIRCUIT									
Dorchester	69	31	31	73.9	89.9	97.1	100.0	100.0	100.0
Somerset	57	17	12	96.5	98.2	98.2	98.2	98.2	100.0
Wicomico	114	39	37	49.1	85.1	96.5	98.2	99.1	100.0
Worcester	165	76	56	17.6	70.9	88.5	93.3	95.2	95.8
SECOND CIRCUIT									
Caroline	58	82	72	25.9	50.0	72.4	91.4	96.6	98.3
Cecil	264	61	56	27.3	68.2	92.0	94.3	98.1	99.6
Kent	24	57	43	45.8	75.0	91.7	95.8	95.8	95.8
Queen Anne's	74	55	51	36.5	68.9	94.6	97.3	98.6	98.6
Talbot	84	65	57	27.4	70.2	90.5	91.7	97.6	97.6
THIRD CIRCUIT									
Baltimore	2,082	143	46	30.8	73.2	91.1	94.5	96.3	97.9
Harford	480	60	38	22.7	59.8	94.2	96.7	98.3	99.4
FOURTH CIRCUIT									
Allegany	263	65	57	47.1	68.8	84.0	91.6	97.7	98.1
Garrett	116	50	50	42.2	80.2	92.2	95.7	100.0	100.0
Washington	335	41	40	49.0	79.4	98.2	99.4	99.7	99.7
FIFTH CIRCUIT									
Anne Arundel	1,323	92	84	8.5	31.7	80.2	93.1	97.2	98.5
Carroll	343	92	78	11.1	38.2	79.9	90.7	95.3	97.4
Howard	382	79	65	16.2	56.8	86.6	92.1	96.1	96.9
SIXTH CIRCUIT									
Frederick	184	86	78	32.1	43.5	78.3	89.1	97.3	99.5
Montgomery	1,322	145	108	12.6	24.6	52.9	73.3	88.6	94.4
SEVENTH CIRCUIT									
Calvert	265	111	94	5.3	18.9	75.1	86.8	95.1	96.6
Charles	387	76	68	9.0	40.3	93.5	97.9	98.7	99.2
Prince George's	3,131	76	72	17.1	42.0	88.1	96.6	99.0	99.5
St. Mary's	159	98	94	4.4	16.4	79.9	94.3	99.4	99.4
EIGHTH CIRCUIT									
Baltimore City	11,099	102	65	28.9	55.5	83.1	90.8	95.2	96.8
STATE	22,780	111	67	24.9	52.2	83.5	91.6	95.9	97.5

NOTE: Does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. See also note to Table CC-13.

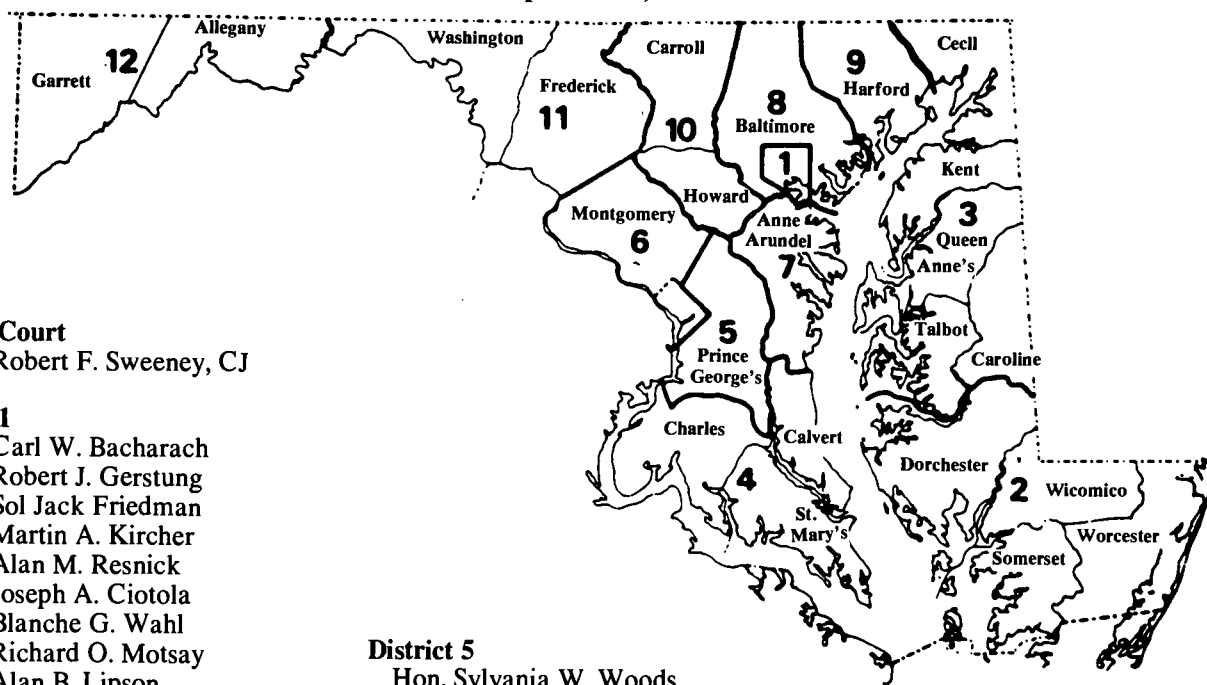
TABLE CC-30
DELINQUENCY TERMINATIONS BY TYPE OF DISPOSITION
JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Jurisdiction Waived	Dismissed	Stet	Probation	Social Services	Juvenile Services	Hospital Facility	Institutional	Transferred In	Transferred Out	Continued	Other	TOTAL
FIRST CIRCUIT													
Dorchester	10	8	0	19	0	4	2	5	0	2	3	7	60
Somerset	3	0	0	33	2	3	0	4	0	2	6	10	63
Wicomico	7	7	0	43	3	1	1	31	4	2	0	26	125
Worcester	14	52	0	42	1	7	2	2	3	3	10	36	172
SECOND CIRCUIT													
Caroline	3	8	17	22	0	4	0	11	2	0	0	4	71
Cecil	16	86	0	48	0	5	1	26	0	0	1	4	187
Kent	6	1	0	1	1	13	0	3	0	1	0	5	31
Queen Anne's	0	9	6	20	2	17	1	2	2	1	0	22	82
Talbot	1	7	1	53	2	10	0	0	0	9	0	18	101
THIRD CIRCUIT													
Baltimore	112	419	329	575	15	104	14	48	57	71	0	941	2,685
Harford	7	67	0	195	28	20	1	49	12	15	31	211	636
FOURTH CIRCUIT													
Allegany	0	15	1	115	1	12	0	0	0	4	0	21	169
Garrett	8	8	0	36	1	2	6	7	0	0	0	8	76
Washington	13	25	3	200	14	44	25	50	1	4	0	48	427
FIFTH CIRCUIT													
Anne Arundel	19	364	40	643	41	123	14	123	37	65	383	367	2,219
Carroll	2	119	61	157	11	38	0	4	2	23	0	64	481
Howard	9	108	117	123	11	20	1	5	3	7	0	6	410
SIXTH CIRCUIT													
Frederick	4	37	0	101	9	46	0	0	5	9	0	35	246
Montgomery*	10	703	0	218	32	70	1	20	2	16	18	393	1,483
SEVENTH CIRCUIT													
Calvert	0	45	26	140	4	8	0	0	0	7	0	17	247
Charles	4	56	16	219	4	56	5	47	9	7	0	174	597
Prince George's	54	678	742	1,188	44	159	1	242	81	14	0	1,039	4,242
St. Mary's	0	0	0	23	1	5	0	0	0	0	0	170	199
EIGHTH CIRCUIT													
Baltimore City	520	4,984	0	2,757	10	6	0	10	0	0	0	1,866	10,153
STATE	822	7,806	1,359	6,971	237	777	75	689	220	262	452	5,492	25,162

*Juvenile causes for Montgomery County are handled by the District Court.

The District Court

The District Court — Judiciary Map and Members as of September 1, 1988



District Court

Hon. Robert F. Sweeney, CJ

District 1

Hon. Carl W. Bacharach
Hon. Robert J. Gerstung
Hon. Sol Jack Friedman
Hon. Martin A. Kircher
Hon. Alan M. Resnick
*Hon. Joseph A. Ciotola
Hon. Blanche G. Wahl
Hon. Richard O. Motsay
Hon. Alan B. Lipson
Hon. George J. Helinski
Hon. Mary Ellen T. Rinehardt
Hon. Charlotte M. Cooksey
Hon. Paul A. Smith
Hon. H. Gary Bass
Hon. Keith E. Mathews
Hon. John C. Themelis
Hon. Askew W. Gatewood, Jr.
Hon. Alan J. Karlin
Hon. Carol E. Smith
Hon. David W. Young
Hon. Theodore B. Oshrine
Hon. Andre M. Davis
Hon. Joseph P. McCurdy, Jr.

District 2

Hon. Robert D. Horsey
*Hon. Thomas C. Groton, III
Hon. John L. Norton, III
Hon. Richard D. Warren

District 3

Hon. L. Edgar Brown
Hon. John T. Clark, III
Hon. H. Thomas Sisk, Jr.
Hon. William H. Adkins, III
*Hon. James C. McKinney
Vacancy

District 4

Hon. Larry D. Lamson
*Hon. Robert C. Nalley
Hon. C. Clarke Raley
Vacancy

District 5

Hon. Sylvania W. Woods
Hon. Francis A. Borelli
Hon. Bess B. Lavine
Hon. Theresa A. Nolan
Hon. C. Philip Nichols, Jr.
Hon. Gerard F. Devlin
*Hon. Steven I. Platt
Hon. John F. Kelly, Sr.
Hon. Larnzell Martin, Jr.
Hon. Thurman H. Rhodes
Vacancy

District 6

Hon. Douglas H. Moore, Jr.
Hon. John C. Tracey
Hon. Stanley Klavan
*Hon. Thomas A. Lohm
Hon. Henry J. Monahan
Hon. Louis D. Harrington
Hon. Edwin Collier
Hon. Cornelius J. Vaughey
Hon. Jerry H. Hyatt
Hon. Paul A. McGuckian
Hon. James L. Ryan

District 7

*Hon. Thomas J. Curley
Hon. George M. Taylor
Hon. Robert N. Lucke, Sr.
Hon. Donald M. Lowman
Hon. Lawrence H. Rushworth
Hon. Clayton Greene, Jr.

District 8

Hon. Edward D. Hardesty
Hon. Werner G. Schoeler
Hon. Gerard W. Wittstadt

Hon. John P. Rellas
Hon. William S. Baldwin
*Hon. John H. Garmer
Hon. A. Gordon Boone, Jr.
Hon. Patricia S. Pytash
Hon. Alfred L. Brennan, Sr.
Hon. Christian M. Kahl
Hon. Barbara Kerr Howe
Hon. Charles E. Foos, III

District 9

*Hon. Edwin H.W. Harlan, Jr.
Hon. John S. Landbeck, Jr.
Hon. Lawrence S. Lanahan, Jr.

District 10

Hon. Donald M. Smith
*Hon. Francis M. Arnold
Hon. R. Russell Sadler
Hon. James N. Vaughan
Vacancy

District 11

Hon. Darrow Glaser
Hon. James F. Strine
*Hon. Herbert L. Rollins
Hon. Frederick J. Bower

District 12

*Hon. Paul J. Stakem
Hon. Jack R. Turney
Hon. William T. Finan

*District Administrative Judge

The District Court

The District Court of Maryland was created as the result of the ratification in 1970 of a constitutional amendment proposed by the legislature in 1969.

The District Court began operating on July 5, 1971, replacing a miscellaneous system of trial magistrates, people's and municipal courts. It is a court of record, is entirely State funded, and has statewide jurisdiction. District Court judges are appointed by the Governor and confirmed by the Senate. They do not stand for election. The first Chief Judge was designated by the Governor, but all subsequent chief judges are subject to appointment by the Chief Judge of the Court of Appeals. The District Court is divided into twelve geographical districts, each containing one or more political subdivisions, with at least one judge in each subdivision.

As of July 1, 1987, there were 91 District Court judgeships, including the Chief Judge. The Chief Judge is the administrative head of the Court and appoints administrative judges for each of the twelve districts, subject to the approval of the Chief Judge of the Court of Appeals. A chief clerk of the Court is appointed by the Chief Judge. Administrative clerks for each district are also appointed as are commissioners who perform such duties as issuing arrest warrants and setting bail or collateral.

The District Court has jurisdiction in both the criminal, including motor vehicle, and civil areas. It has little equity jurisdiction and has jurisdiction over juvenile causes only in Montgomery County. The exclusive jurisdiction of the District Court generally includes all landlord/tenant cases; replevin actions; motor vehicle violations; criminal cases if the penalty is less than three years imprisonment or does not exceed a fine of \$2,500, or both; and civil cases involving amounts not exceeding \$2,500. It has concurrent jurisdiction with the circuit courts in civil cases over \$2,500 to, but not exceeding, \$10,000; and concurrent jurisdiction in misdemeanors and certain enumerated felonies. Since there are no juries provided in the District Court, a person entitled to and electing a jury trial must proceed to the circuit court.

Motor Vehicle

There were 1,061,768 motor vehicle cases received by the District Court during Fiscal 1988. That figure represents an increase of 16.2 percent over Fiscal Year 1987. The increase in motor vehicle cases can be partly attributed to the 15 percent increase in driving while intoxicated cases which increased from 36,832 in Fiscal Year 1987 to 42,367 in Fiscal Year 1988 (Table DC-9). The four largest jurisdictions contributed the greatest number of motor vehicle cases with 553,912

(52.2 percent). Montgomery County contributed the greatest number with 159,867 followed by Baltimore County with 157,527 cases. Prince George's County and Anne Arundel County contributed 147,031 and 89,487 cases, respectively. Baltimore City contributed 104,890 motor vehicle cases. Following the increase in filings, motor vehicle dispositions also increased, by 11.9 percent. There were 837,370 cases processed in Fiscal 1987 compared to 937,502 in Fiscal 1988. Motor vehicle processed cases included 279,699 cases that were tried, 597,235 paid cases, and 60,568 "other" dispositions which included jury trial prayers, nolle prosequi, and stet cases (Table DC-2).

Criminal

The District Court of Maryland received 156,219 criminal filings during Fiscal Year 1988, an increase of 4.7 percent over the 149,157 criminal filings reported for Fiscal Year 1987. Baltimore City contributed the greatest number of filings with 51,894 (33.2 percent). The four largest jurisdictions reported a total of 67,826 criminal filings or 43.4 percent of the criminal cases received. The increase in criminal dispositions was only a slight 0.6 percent, from 143,176 in Fiscal 1987 to 144,060 in Fiscal 1988 (Table DC-7). Of the 144,060 criminal cases processed in Fiscal Year 1988, 52,507 were tried while 91,553 were untried. Baltimore City processed the greatest number of criminal cases with 51,414 or 35.7 percent. The four largest counties accounted for 40 percent of the criminal dispositions with the highest activity in Baltimore County (18,296) followed by Prince George's County with 18,056 cases processed (Table DC-2).

Civil

During Fiscal Year 1988, there were 672,384 civil cases filed in the District Court, an increase of 9.7 percent over the 612,700 filed in Fiscal 1987 (Table DC-8). Landlord/tenant filings accounted for 72.7 percent (488,531) of all civil filings reported for Fiscal 1988. Contract and tort cases accounted for 23 percent (154,776) of the civil filings, while the remaining 29,077 cases (4.3 percent) were categorized as "other" which included attachments before judgment, confessed judgments, and replevin actions. Of the filings reported, only 10.3 percent (69,497) were contested (Table DC-2).

There were also 19,369 special proceedings received during Fiscal 1988 among which were 2,379 emergency hearings, 4,661 domestic abuse cases, and 263 child abuse cases (Table DC-10).

Trends

The District Court reported the highest number of overall cases during its seventeen-year history, thus continuing its trend of an ever-increasing workload. There were 1,753,946 total cases filed or processed during Fiscal Year 1988 compared to 1,593,246 in Fiscal Year 1987, an increase of 10.1 percent. For the fourth consecutive year, increases were reported in all three categories.

Motor vehicle dispositions have increased steadily over the past four years to its present level of 937,502. Contested motor vehicle cases have remained relatively consistent throughout the past few years with over 26 percent of motor vehicle cases being contested from year to year. Montgomery County reported the highest number of processed motor vehicle cases while Baltimore County reported the highest number of contested cases for the fifth consecutive year. Over 44 percent (67,259 out of 150,071) of the cases processed in Baltimore County were tried while 26.8 percent (42,168 out of 157,619) of the cases processed in Montgomery County were tried (Table DC-2). The increase in motor vehicle cases can be partly attributed to the ever-increasing number of DWI cases filed in the District Court from year to year. Driving while intoxicated cases have increased steadily over the past five years to its current level of 42,367 (Table DC-9).

Criminal filings and dispositions have also increased steadily over the years. There was an increase of 4.7 percent in criminal filings, from 149,157 in Fiscal 1987 to 156,219 in Fiscal 1988. The increase

in dispositions was not as significant, increasing by only 0.6 percent over the previous fiscal year (Table DC-7). Prince George's County and Baltimore City reported decreases in dispositions in their jurisdictions of 7.6 percent and 2.3 percent, respectively. Although Baltimore City reported a decrease in criminal dispositions, it still continues to process the greatest number with 51,414 or 35.7 percent followed by Baltimore County and Prince George's County with 12.7 percent and 12.5 percent of the total respective dispositions.

Civil case filings have also continued to increase steadily from year to year, with an average annual increase of 5.2 percent. The greatest increase in the past five years was reported in Fiscal Year 1988 with a 9.7 percent increase, from 612,700 in Fiscal 1987 to the current level of 672,384 civil case filings. Landlord and tenant filings continue to constitute the majority of civil filings each year. During Fiscal 1988, there were 488,531 landlord/tenant filings, representing over 72 percent of all civil filings. Baltimore City and Prince George's County contributed the greatest number of landlord/tenant filings as well as overall civil filings. There were 237,517 total civil filings reported in Baltimore City during Fiscal 1988 of which 195,711 or 82.4 percent were landlord/tenant. Prince George's County reported 153,083 civil filings with 116,787 (76.3 percent) being categorized as landlord/tenant. Also increasing steadily are contested cases. During Fiscal 1988, 69,497 or 10.3 percent of all civil cases were contested compared to 48,316 or 7.9 percent in Fiscal 1987.

TABLE DC-1
DISTRICT COURT — CASELOAD BY FISCAL YEAR

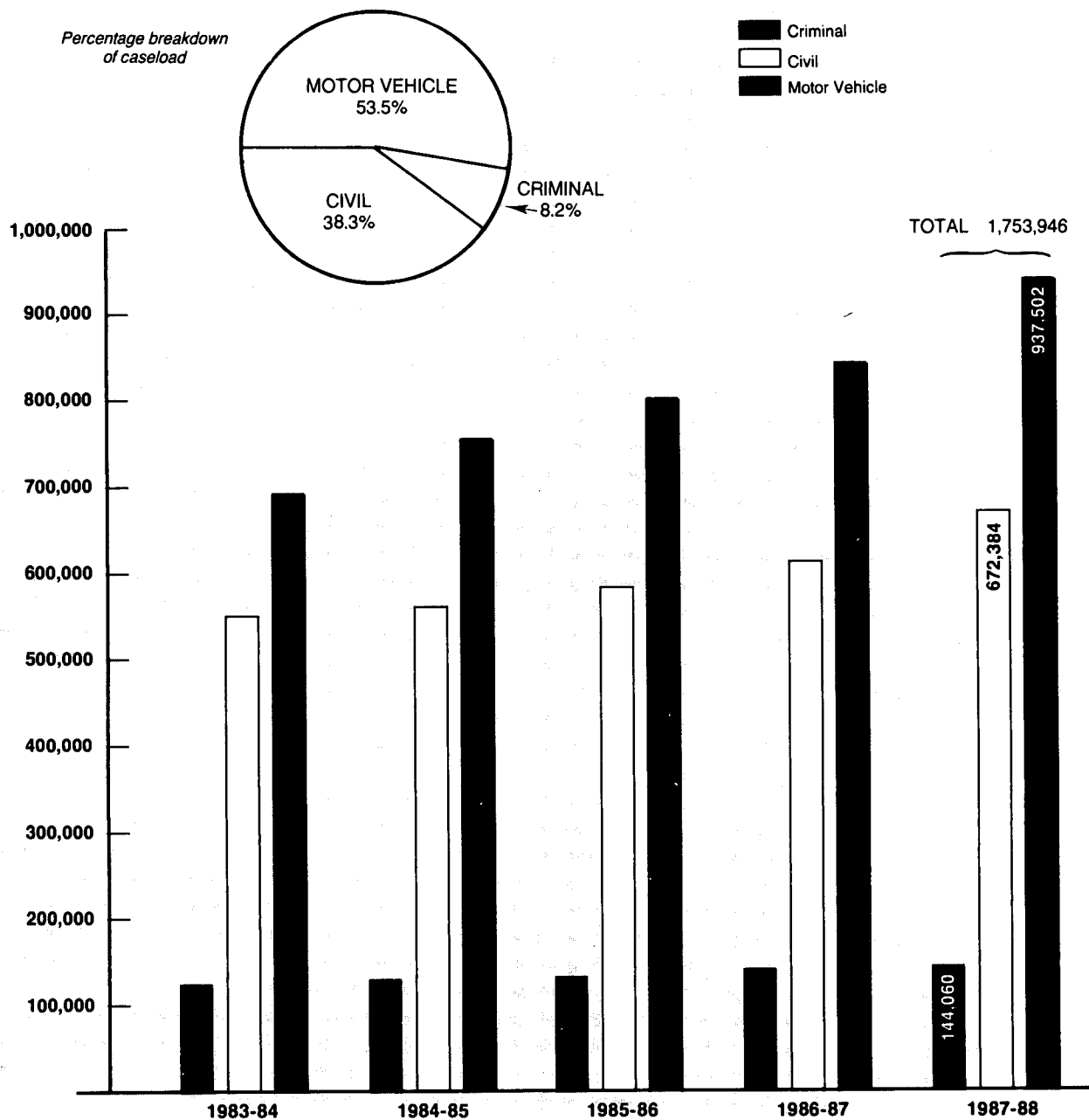


TABLE DC-2

MOTOR VEHICLE AND CRIMINAL CASES PROCESSED AND CIVIL CASES FILED IN THE DISTRICT COURT OF MARYLAND

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	MOTOR VEHICLE CASES PROCESSED BY DISTRICT COURT					CRIMINAL CASES PROCESSED BY DISTRICT COURT	CIVIL CASES FILED IN THE DISTRICT COURT							TOTAL FILED OR PROCESSED	
	Cases Received	Cases Tried	Cases Paid	Other Dispositions	Total Cases Processed		No. of Cases	Landlord and Tenant		Contract and Tort		Other Complaints Filed	Total		
								Filed	Con- tested	Filed	Con- tested		Filed		Con- tested
DISTRICT 1 Baltimore City	104,890 104,890	39,442 39,442	41,494 41,494	4,766 4,766	85,702 85,702	51,414 51,414	195,711 195,711	37,240 37,240	3,142 3,142	35,384 35,384	3,142 3,142	6,422 6,422	237,517 237,517	40,382 40,382	374,633 374,633
DISTRICT 2 Dorchester Somerset Wicomico Worcester	71,312 12,662 9,138 23,817 25,695	8,856 2,420 773 2,108 3,555	50,422 8,788 6,670 17,655 17,309	3,406 359 232 967 1,848	62,684 11,567 7,675 20,730 22,712	7,396 1,347 620 2,474 2,955	7,008 759 205 5,538 506	971 32 54 788 97	670 113 57 269 231	6,895 1,353 672 2,942 1,928	670 113 57 269 231	989 184 124 410 271	14,892 2,296 1,001 8,890 2,705	1,641 145 111 1,057 328	84,972 15,210 9,296 32,094 28,372
DISTRICT 3 Caroline Cecil Kent Queen Anne's Talbot	65,437 7,147 36,349 3,115 9,674 9,152	10,214 1,151 4,770 604 1,770 1,919	45,393 4,894 25,382 2,136 6,765 6,216	2,735 424 1,282 157 523 349	58,342 6,469 31,434 2,897 9,058 8,484	5,502 894 2,482 573 566 987	1,616 297 690 138 163 328	367 46 206 40 31 44	384 157 156 32 53 99	6,255 917 2,153 1,073 1,053 1,059	384 157 156 32 53 99	1,139 157 391 284 191 116	9,010 1,371 3,234 1,495 1,407 1,503	751 90 362 72 84 143	72,854 8,734 37,150 4,965 11,031 10,974
DISTRICT 4 Calvert Charles St. Mary's	39,961 11,251 16,552 12,158	8,428 3,805 3,208 1,415	22,093 5,511 9,411 7,171	4,817 713 2,135 1,969	35,338 10,029 14,754 10,555	5,434 1,100 2,726 1,608	3,591 206 1,860 1,525	441 41 181 219	322 61 127 134	5,052 1,083 2,578 1,391	322 61 127 134	1,086 263 496 327	9,729 1,552 4,934 3,243	763 102 308 353	50,501 12,681 22,414 15,406
DISTRICT 5 Prince George's	147,031 147,031	33,406 33,406	80,196 80,196	12,562 12,562	126,164 126,164	18,056 18,056	116,787 116,787	9,816 9,816	30,193 30,193	3,576 3,576	3,576 3,576	6,103 6,103	153,083 153,083	13,392 13,392	297,303 297,303
DISTRICT 6 Montgomery	159,867 159,867	42,168 42,168	105,428 105,428	10,023 10,023	157,619 157,619	10,639 10,639	37,564 37,564	1,236 1,236	20,331 20,331	2,237 2,237	2,237 2,237	3,847 3,847	61,742 61,742	3,473 3,473	230,000 230,000
DISTRICT 7 Anne Arundel	89,487 89,487	25,189 25,189	35,847 35,847	4,247 4,247	65,283 65,283	10,587 10,587	23,054 23,054	1,020 1,020	10,526 10,526	640 640	640 640	1,922 1,922	35,502 35,502	1,660 1,660	111,372 111,372
DISTRICT 8 Baltimore	157,527 157,527	67,259 67,259	76,474 76,474	6,338 6,338	150,071 150,071	18,296 18,296	81,987 81,987	1,959 1,959	20,561 20,561	2,108 2,108	2,108 2,108	4,105 4,105	106,653 106,653	4,067 4,067	275,020 275,020
DISTRICT 9 Harford	47,135 47,135	10,604 10,604	27,180 27,180	1,579 1,579	39,363 39,363	2,915 2,915	6,183 6,183	396 396	4,106 4,106	189 189	189 189	621 621	10,910 10,910	585 585	53,188 53,188
DISTRICT 10 Carroll Howard	86,057 19,745 66,312	19,079 4,991 14,088	48,318 11,000 37,318	4,553 1,206 3,347	71,950 17,197 54,753	5,592 2,400 3,192	8,673 1,178 7,495	345 103 242	6,220 2,453 3,767	757 145 612	757 145 612	1,028 404 624	15,921 4,035 11,886	1,102 248 854	93,463 23,632 69,831
DISTRICT 11 Frederick Washington	69,978 42,898 27,080	10,681 7,085 3,596	48,431 28,975 19,456	4,384 2,552 1,832	63,496 38,612 24,884	5,600 2,618 2,982	5,869 3,261 2,608	691 254 437	7,275 3,836 3,439	506 297 209	506 297 209	1,456 598 858	14,600 7,695 6,905	1,197 551 646	83,696 48,925 34,771
DISTRICT 12 Allegany Garrett	23,086 15,171 7,915	4,373 2,675 1,698	15,959 10,632 5,327	1,158 923 235	21,490 14,230 7,260	2,629 1,871 758	488 378 110	104 61 43	1,978 1,318 660	380 325 55	380 325 55	359 251 108	2,825 1,947 878	484 386 98	26,944 18,048 8,896
STATE	1,061,768	279,699	597,235	60,568	937,502	144,060	488,531	54,586	154,776	14,911	14,911	29,077	672,384	69,497	1,753,946

TABLE DC-3
FIVE-YEAR COMPARATIVE TABLE
MOTOR VEHICLE AND CRIMINAL CASES PROCESSED
AND CIVIL CASES FILED IN THE DISTRICT COURT
FISCAL 1984—FISCAL 1988

	1983-84	1984-85	1985-86	1986-87	1987-88
DISTRICT 1					
Baltimore City	317,274	330,641	320,613	333,834	374,633
DISTRICT 2					
Dorchester	8,324	9,257	10,365	12,436	15,210
Somerset	6,114	6,026	5,977	6,404	9,296
Wicomico	25,122	25,060	25,901	28,109	32,094
Worcester	16,716	16,790	19,506	25,407	28,372
DISTRICT 3					
Caroline	5,298	9,053	6,701	7,329	8,734
Cecil	28,145	33,197	34,975	32,208	37,150
Kent	4,046	4,938	4,298	4,909	4,965
Queen Anne's	8,145	7,667	9,557	8,614	11,031
Talbot	8,171	9,988	9,928	9,716	10,974
DISTRICT 4					
Calvert	10,339	9,438	9,623	11,660	12,681
Charles	17,782	16,406	18,236	20,536	22,414
St. Mary's	8,675	11,251	11,886	13,503	15,406
DISTRICT 5					
Prince George's	260,429	246,377	270,378	289,480	297,303
DISTRICT 6					
Montgomery	174,031	195,906	211,692	208,649	230,000
DISTRICT 7					
Anne Arundel	87,925	97,685	97,212	97,885	111,372
DISTRICT 8					
Baltimore	203,471	226,227	239,099	256,269	275,020
DISTRICT 9					
Harford	38,235	38,954	40,325	44,328	53,188
DISTRICT 10					
Carroll	14,542	18,387	19,223	21,257	23,632
Howard	46,960	46,120	58,514	63,251	69,831
DISTRICT 11					
Frederick	33,508	36,787	39,127	43,305	48,925
Washington	26,695	29,181	28,748	31,786	34,771
DISTRICT 12					
Allegany	13,440	14,027	13,039	14,890	18,048
Garrett	6,219	8,086	7,458	7,481	8,896
STATE	1,369,606	1,447,449	1,512,381	1,593,246	1,753,946

TABLE DC-4
POPULATION AND CASELOAD PER DISTRICT COURT JUDGE^a
AS OF JUNE 30, 1988

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Number of Judges	Population Per Judge ^b	CASES FILED OR PROCESSED PER JUDGE			
			Civil	Motor Vehicle	Criminal	Total
DISTRICT 1 Baltimore City	23	32,648	10,327	3,726	2,235	16,288
DISTRICT 2 Dorchester	1	29,900	2,296	11,567	1,347	15,210
Somerset	1	19,600	1,001	7,675	620	9,296
Wicomico	1	72,000	8,890	20,730	2,474	32,094
Worcester	1	37,900	2,705	22,712	2,955	28,372
DISTRICT 3 Caroline	1	24,900	1,371	6,469	894	8,734
Cecil	2	35,050	1,617	15,717	1,241	18,575
Kent	1	17,000	1,495	2,897	573	4,965
Queen Anne's	1	31,400	1,407	9,058	566	11,031
Talbot	1	27,700	1,503	8,484	987	10,974
DISTRICT 4 Calvert	1	46,800	1,552	10,029	1,100	12,681
Charles	1	94,900	4,934	14,754	2,726	22,414
St. Mary's	1	71,000	3,243	10,555	1,608	15,406
DISTRICT 5 Prince George's	10	68,830	15,308	12,616	1,806	29,730
DISTRICT 6 Montgomery	9 ^c	77,778	6,860	17,513	1,182	25,555
DISTRICT 7 Anne Arundel	6	69,800	5,917	10,881	1,765	18,563
DISTRICT 8 Baltimore	12	56,750	8,888	12,506	1,525	22,919
DISTRICT 9 Harford	3	54,867	3,637	13,121	972	17,730
DISTRICT 10 Carroll	2	58,750	2,018	8,599	1,200	11,817
Howard	3	53,900	3,962	18,251	1,064	23,277
DISTRICT 11 Frederick	2	68,950	3,848	19,306	1,309	24,463
Washington	2	58,350	3,453	12,442	1,491	17,386
DISTRICT 12 Allegany	2	36,750	974	7,115	936	9,025
Garrett	1	26,100	878	7,260	758	8,896
STATE	88	52,048	7,641	10,653	1,637	19,931

^aChief Judge of District Court not included in statistics. Number of judges as of June 30, 1988.

^bPopulation estimate for July 1, 1988, issued by the Maryland Center for Health Statistics.

^cTwo Juvenile Court judges and juvenile causes omitted as included in juvenile statistics.

TABLE DC-5
CASES FILED OR PROCESSED IN THE DISTRICT COURT
PER THOUSAND POPULATION

JULY 1, 1987—JUNE 30, 1988
FISCAL 1988

	Population*	Civil Filed	Motor Vehicle Processed	Criminal Processed	Total
DISTRICT 1 Baltimore City	750,900	316	114	68	498
DISTRICT 2 Dorchester	29,900	77	387	45	509
Somerset	19,600	51	392	32	475
Wicomico	72,000	123	288	34	445
Worcester	37,900	71	599	78	748
DISTRICT 3 Caroline	24,900	55	260	36	351
Cecil	70,100	46	448	35	529
Kent	17,000	88	170	34	292
Queen Anne's	31,400	45	288	18	351
Talbot	27,700	54	306	36	396
DISTRICT 4 Calvert	46,800	33	214	24	271
Charles	94,900	52	155	29	236
St. Mary's	71,000	46	149	23	218
DISTRICT 5 Prince George's	688,300	222	183	26	431
DISTRICT 6 Montgomery	700,000	88	225	15	328
DISTRICT 7 Anne Arundel	418,800	85	156	25	266
DISTRICT 8 Baltimore	681,000	157	220	27	404
DISTRICT 9 Harford	164,600	66	239	18	323
DISTRICT 10 Carroll	117,500	34	146	20	200
Howard	161,700	74	339	20	433
DISTRICT 11 Frederick	137,900	56	280	19	355
Washington	116,700	59	213	26	298
DISTRICT 12 Allegany	73,500	26	194	25	245
Garrett	26,100	34	278	29	341
STATE	4,580,200	147	205	31	383

*Population estimate for July 1, 1988, issued by the Maryland Center for Health Statistics.

TABLE DC-6
FIVE-YEAR COMPARATIVE TABLE
MOTOR VEHICLE CASES PROCESSED
BY THE DISTRICT COURT

FISCAL 1984—FISCAL 1988

	1983-84	1984-85	1985-86	1986-87	1987-88
DISTRICT 1					
Baltimore City	61,421	65,938	62,439	70,816	85,702
DISTRICT 2					
Dorchester	5,748	6,367	7,663	9,007	11,567
Somerset	5,011	4,804	4,602	4,897	7,675
Wicomico	18,990	17,490	18,201	18,045	20,730
Worcester	13,028	12,388	14,425	19,769	22,712
DISTRICT 3					
Caroline	3,779	7,449	4,668	5,256	6,469
Cecil	23,998	28,859	30,204	27,080	31,434
Kent	2,669	3,294	2,425	2,986	2,897
Queen Anne's	6,438	6,019	7,972	6,634	9,058
Talbot	6,632	8,236	8,019	7,545	8,484
DISTRICT 4					
Calvert	7,929	7,110	7,176	8,826	10,029
Charles	13,251	11,668	12,669	13,715	14,754
St. Mary's	6,499	8,673	8,828	9,440	10,555
DISTRICT 5					
Prince George's	114,268	104,587	113,503	121,690	126,164
DISTRICT 6					
Montgomery	115,080	133,066	148,355	143,200	157,619
DISTRICT 7					
Anne Arundel	49,594	55,735	57,193	55,815	65,283
DISTRICT 8					
Baltimore	106,617	130,113	135,422	141,929	150,071
DISTRICT 9					
Harford	26,631	27,921	29,013	31,771	39,363
DISTRICT 10					
Carroll	9,958	13,789	14,304	15,928	17,197
Howard	35,348	32,949	44,826	49,414	54,753
DISTRICT 11					
Frederick	26,550	29,229	31,776	34,752	38,612
Washington	19,364	21,374	20,425	21,867	24,884
DISTRICT 12					
Allegany	9,960	10,736	9,574	11,004	14,230
Garrett	4,807	6,718	6,181	5,984	7,260
STATE	693,570	754,512	799,863	837,370	937,502

TABLE DC-7
FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES BY THE NUMBER OF DEFENDANTS CHARGED
PROCESSED IN THE DISTRICT COURT
FISCAL 1984—FISCAL 1988

	1983-84	1984-85	1985-86	1986-87	1987-88
DISTRICT 1					
Baltimore City	48,237	48,760	48,586	52,619	51,414
DISTRICT 2					
Dorchester	930	1,115	1,097	1,118	1,347
Somerset	497	540	582	601	620
Wicomico	1,680	1,618	1,995	1,976	2,474
Worcester	2,036	2,208	2,800	3,224	2,955
DISTRICT 3					
Caroline	498	579	808	921	894
Cecil	1,694	1,790	1,803	2,122	2,482
Kent	355	490	501	512	573
Queen Anne's	508	544	544	580	566
Talbot	535	687	708	921	987
DISTRICT 4					
Calvert	783	914	1,017	1,140	1,100
Charles	1,630	1,958	2,148	2,543	2,726
St. Mary's	839	741	1,037	1,385	1,608
DISTRICT 5					
Prince George's	19,866	20,020	17,292	19,534	18,056
DISTRICT 6					
Montgomery	7,776	9,519	9,762	9,507	10,639
DISTRICT 7					
Anne Arundel	7,989	8,461	9,996	10,875	10,587
DISTRICT 8					
Baltimore	17,182	15,429	17,291	17,199	18,296
DISTRICT 9					
Harford	2,842	2,560	2,742	2,892	2,915
DISTRICT 10					
Carroll	1,705	1,653	1,732	2,021	2,400
Howard	2,842	3,029	3,043	3,338	3,192
DISTRICT 11					
Frederick	2,302	2,452	2,257	2,500	2,618
Washington	1,915	2,247	2,258	3,055	2,982
DISTRICT 12					
Allegany	1,723	1,737	1,669	1,903	1,871
Garrett	604	603	554	690	758
STATE	126,968	129,654	132,222	143,176	144,060

TABLE DC-8
FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES FILED
IN THE DISTRICT COURT
FISCAL 1984—FISCAL 1988

	1983-84	1984-85	1985-86	1986-87	1987-88
DISTRICT 1					
Baltimore City	207,616	215,943	209,588	210,399	237,517
DISTRICT 2					
Dorchester	1,646	1,775	1,605	2,311	2,296
Somerset	606	682	793	906	1,001
Wicomico	4,452	5,952	5,705	8,088	8,890
Worcester	1,652	2,194	2,281	2,414	2,705
DISTRICT 3					
Caroline	1,021	1,025	1,225	1,152	1,371
Cecil	2,453	2,548	2,968	3,006	3,234
Kent	1,022	1,154	1,372	1,411	1,495
Queen Anne's	1,199	1,104	1,041	1,400	1,407
Talbot	1,004	1,065	1,201	1,250	1,503
DISTRICT 4					
Calvert	1,627	1,414	1,430	1,694	1,552
Charles	2,901	2,780	3,419	4,278	4,934
St. Mary's	1,337	1,837	2,021	2,678	3,243
DISTRICT 5					
Prince George's	126,295	121,770	139,583	148,256	153,083
DISTRICT 6					
Montgomery	51,175	53,321	53,575	55,942	61,742
DISTRICT 7					
Anne Arundel	30,342	33,489	30,023	31,195	35,502
DISTRICT 8					
Baltimore	79,672	80,685	86,386	97,141	106,653
DISTRICT 9					
Harford	8,762	8,473	8,570	9,665	10,910
DISTRICT 10					
Carroll	2,879	2,945	3,187	3,308	4,035
Howard	8,770	10,142	10,645	10,499	11,886
DISTRICT 11					
Frederick	4,656	5,106	5,094	6,053	7,695
Washington	5,416	5,560	6,065	6,864	6,905
DISTRICT 12					
Allegany	1,757	1,554	1,796	1,983	1,947
Garrett	808	765	723	807	878
STATE	549,068	563,283	580,296	612,700	672,384

TABLE DC-9
FIVE-YEAR COMPARATIVE TABLE
DRIVING WHILE INTOXICATED CASES RECEIVED BY
THE DISTRICT COURT OF MARYLAND
FISCAL 1984—FISCAL 1988

	1983-84	1984-85	1985-86	1986-87	1987-88
DISTRICT 1					
Baltimore City	3,007	3,240	2,875	2,825	2,947
DISTRICT 2					
Dorchester	288	290	457	405	357
Somerset	255	228	199	162	277
Wicomico	766	577	467	522	642
Worcester	770	772	780	908	813
DISTRICT 3					
Caroline	154	164	172	194	229
Cecil	839	813	804	802	854
Kent	96	139	158	213	217
Queen Anne's	248	282	284	278	304
Talbot	454	439	363	306	322
DISTRICT 4					
Calvert	623	560	569	766	825
Charles	528	552	683	822	1,242
St. Mary's	527	573	509	488	682
DISTRICT 5					
Prince George's	3,960	4,081	5,128	6,466	6,647
DISTRICT 6					
Montgomery	3,414	5,364	5,301	5,117	5,674
DISTRICT 7					
Anne Arundel	2,826	3,233	3,514	5,453	7,219
DISTRICT 8					
Baltimore	4,022	4,212	4,368	4,287	4,645
DISTRICT 9					
Harford	1,012	1,070	1,350	1,283	1,511
DISTRICT 10					
Carroll	775	912	549	536	739
Howard	2,156	1,472	2,135	2,114	2,767
DISTRICT 11					
Frederick	1,040	1,054	1,091	1,266	1,525
Washington	638	798	768	922	1,002
DISTRICT 12					
Allegany	681	485	523	467	522
Garrett	215	242	255	230	405
STATE	29,294	31,552	33,302	36,832	42,367

TABLE DC-10
THREE-YEAR COMPARATIVE TABLE
EMERGENCY EVALUATION AND DOMESTIC ABUSE HEARINGS
HELD IN THE DISTRICT COURT OF MARYLAND

FISCAL 1986—FISCAL 1988

	Emergency Hearings			Domestic Abuse		
	1985-86	1986-87	1987-88	1985-86	1986-87	1987-88
DISTRICT 1 Baltimore City	299	400	550	1,890	1,848	1,742
DISTRICT 2 Dorchester Somerset Wicomico Worcester	8 10 27 33	20 20 47 34	20 10 58 37	12 11 92 29	21 20 99 24	20 7 75 32
DISTRICT 3 Caroline Cecil Kent Queen Anne's Talbot	3 25 10 6 7	7 42 8 7 8	3 31 15 3 20	16 83 10 12 3	18 68 6 27 7	27 86 9 19 14
DISTRICT 4 Calvert Charles St. Mary's	19 16 30	19 22 49	7 27 49	13 1 46	11 3 50	26 11 67
DISTRICT 5 Prince George's	569	547	546	385	496	614
DISTRICT 6 Montgomery	229	302	145	324	304	344
DISTRICT 7 Anne Arundel	209	233	274	313	326	387
DISTRICT 8 Baltimore	327	371	391	570	579	656
DISTRICT 9 Harford	36	28	14	26	28	15
DISTRICT 10 Carroll Howard	24 56	25 38	34 34	45 100	37 97	53 85
DISTRICT 11 Frederick Washington	50 18	42 18	48 16	68 92	113 102	84 97
DISTRICT 12 Allegany Garrett	29 16	33 11	35 12	102 40	88 48	111 80
STATE	2,056	2,331	2,379	4,283	4,420	4,661

Judicial Administration

Judicial Administration

Administrative Office of the Courts

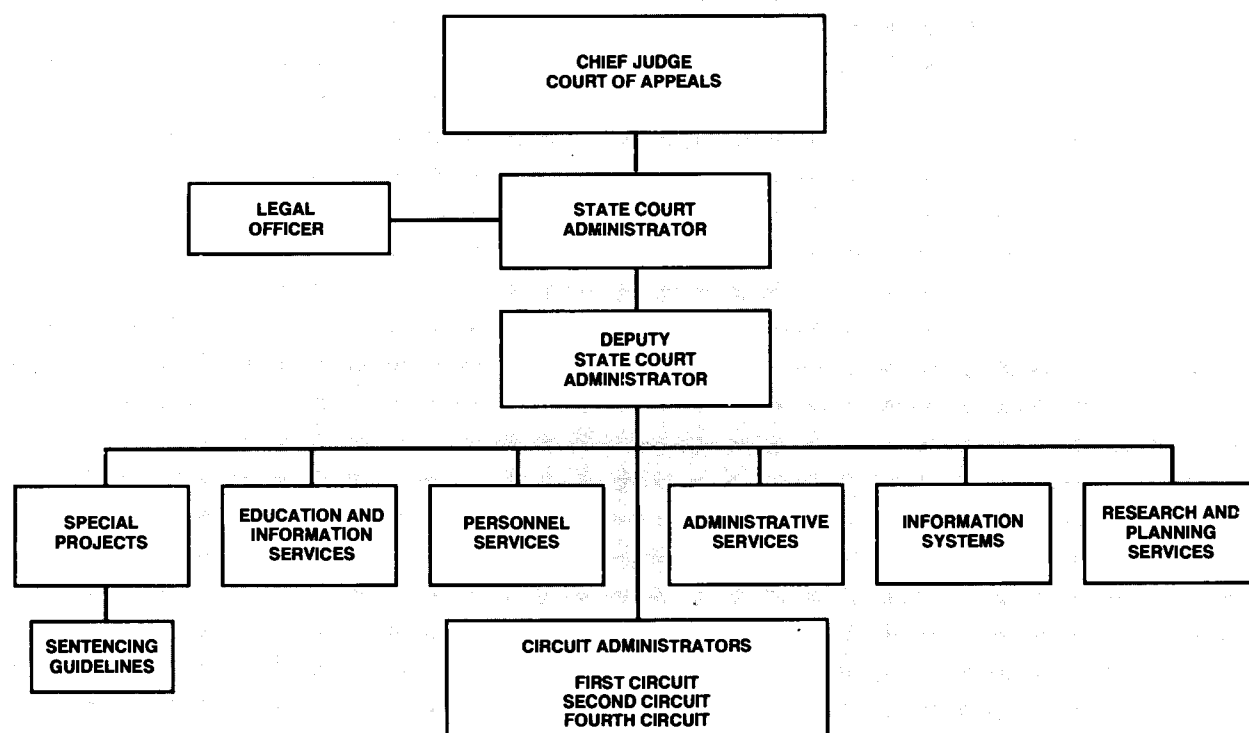
In 1944, Maryland recognized the need to provide administrative direction to the Judicial branch when Article IV, § 18(b), of the Constitution, was ratified by the voters providing that the Chief Judge of the Court of Appeals is the "administrative head of the judicial system of the State."

Almost 35 years ago, the Maryland legislature took the essential step to provide the administrative and professional staff necessary to assist the Chief Judge in carrying out the administrative responsibilities under the Constitution. The step was to establish the Administrative Office of the Courts under the direction of the State Court Administrator, who is appointed by and serves at the pleasure of the Chief Judge of the Court of Appeals, with duties and responsibilities set forth in § 13-101 of the Courts and Judicial Proceedings Article.

The State Court Administrator and the Administrative Office provide the Chief Judge with advice, information, facilities, and staff to assist in the performance of the Chief Judge's administrative

responsibilities. The administrative responsibilities include personnel administration, preparation and administration of the Judiciary budget, liaison with legislative and executive branches, planning and research, education of judges and court support personnel, and staff support to the Maryland Judicial Conference and the Conference of Circuit Judges. In addition, the Administrative Office serves as "Secretariat" to the Appellate and Trial Court Judicial Nominating Commissions established pursuant to Executive Order of the Governor. Personnel are also responsible for the complex operation of data processing systems, collection and analysis of statistics and other management information. The office also assists the Chief Judge in the assignment of active and former judges to cope with case backloads or address shortages of judicial personnel in critical locations.

What follows are some of the details pertaining to certain important activities of the Administrative Office of the Courts during the last twelve months.



Administrative Office of the Courts

Judicial Education and Information

1988 Programs. The Judicial Institute of Maryland offered seventeen courses during 1988 for the experienced bench plus a three and one-half day new trial judge orientation for newly appointed jurists. In addition to programs on marital property, contract law, and hearsay, fresh treatments of sentencing, DWI cases, and mental health issues were included in the 1988 curriculum. Practicums in trial practice, instructor development, and judicial writing supplemented courses on experts in family issues, fifth amendment, humanities, and DWI in juvenile court.

Twenty Maryland jurists joined their counterparts in New Jersey and Delaware for a commercial transactions interstate conference in Somers Point, New Jersey. Plans are under way for Maryland to host the fifth interstate conference in Baltimore in April 1989. The topics of this conference are hearsay and criminal constitutional law.

Maryland's juvenile masters convened in Timonium on March 10 and 11, 1988, for a workshop on juvenile court treatment alternatives and a fourth amendment review. Also, the Judicial Institute helped the newly formed Orphans' Court Association in planning two educational programs during its 1987-1988 Term.

Finally, Judicial Institute instructors made presentations at the December and June Fifth Circuit meetings.

Instructor and Financial Resources. The Board of Directors enlisted the aid of ninety-seven highly qualified members of the federal and state bench, the private and public bar, and other professions to teach during 1988.

Thirteen of these instructors participated in the Institute's second instructor development workshop in June. Class members learned to incorporate adult education techniques during fifteen-minute capsule presentations of current teaching assignments. Eventually all Judicial Institute instructors will be trained in participative teaching methods and the effective use of audio-visual teaching aids.

The Institute's videotape lending library now numbers 235 titles. These videotapes are borrowed by newly appointed judges to supplement their on-the-bench orientation, by experienced judges for review, by members of other state judiciaries, and by members of the Maryland State Bar Association. New taping projects are a mock trial for evidentiary rulings practice, a demonstration of a juvenile hearing, a jury voir-dire, and a demonstration of handling jurors' questions during trial.

The United States Department of Transportation, the Juvenile Justice Advisory Council, and the Maryland Humanities Council provided consultative and financial support for four 1988 programs. During 1989 the Judicial Institute will be submitting proposals for funding of an executive development course and a juvenile court workshop. Outside funding allows the

Institute to pay honorariums to nonlawyer faculty and to develop programs for juvenile masters who are paid by local jurisdictions. The grants supplement money appropriated for educational expenses by the Maryland General Assembly.

Public Information Projects. The Public Awareness Committee of the Maryland Judicial Conference and the Maryland State Bar Association co-sponsored the annual high school mock trial competition. The mock trial provides an opportunity for students, attorneys, and judges to work together on a joint educational project. The winning teams this year were from Lake Clifton/Eastern High School in Baltimore City and Pikesville High School in Baltimore County. Forty-four Maryland judges presided over the mock trials of ninety-five teams during the school year.

Special Joint Committee on Gender Bias in the Courts. The Special Joint Committee on Gender Bias in the Courts held twenty committee and subcommittee meetings during the past year. As part of its mission to examine if gender bias exists in the Maryland courts and if it does how to eliminate it, the committee held seven public hearings around the state in September and October of 1987. It also commissioned the Survey Research Center at the University of Maryland to develop questionnaires for attorneys, judges, and court personnel. The return rate on the questionnaires was eighty percent for judges, fifty percent for attorneys, and fifty percent for court employees. All of this data and other materials are being analyzed now by the committee and its subcommittees which will continue to meet during the summer and fall.

The committee will issue a report with its findings and recommendations in the spring of 1989. Its term was extended for a second year by Chief Judge Murphy and the president of the Maryland State Bar Association due to the volume of material the committee has to examine. This body of four judges and five attorneys also plans to develop a program for the 1989 Maryland Judicial Conference.

Maryland is one of twenty-two states that has commissioned a gender bias committee. We will be the fourth state to print a report.

Judicial Information Systems

Fiscal Year 1988 continued marked improvement in many areas for the Judicial Information Systems.

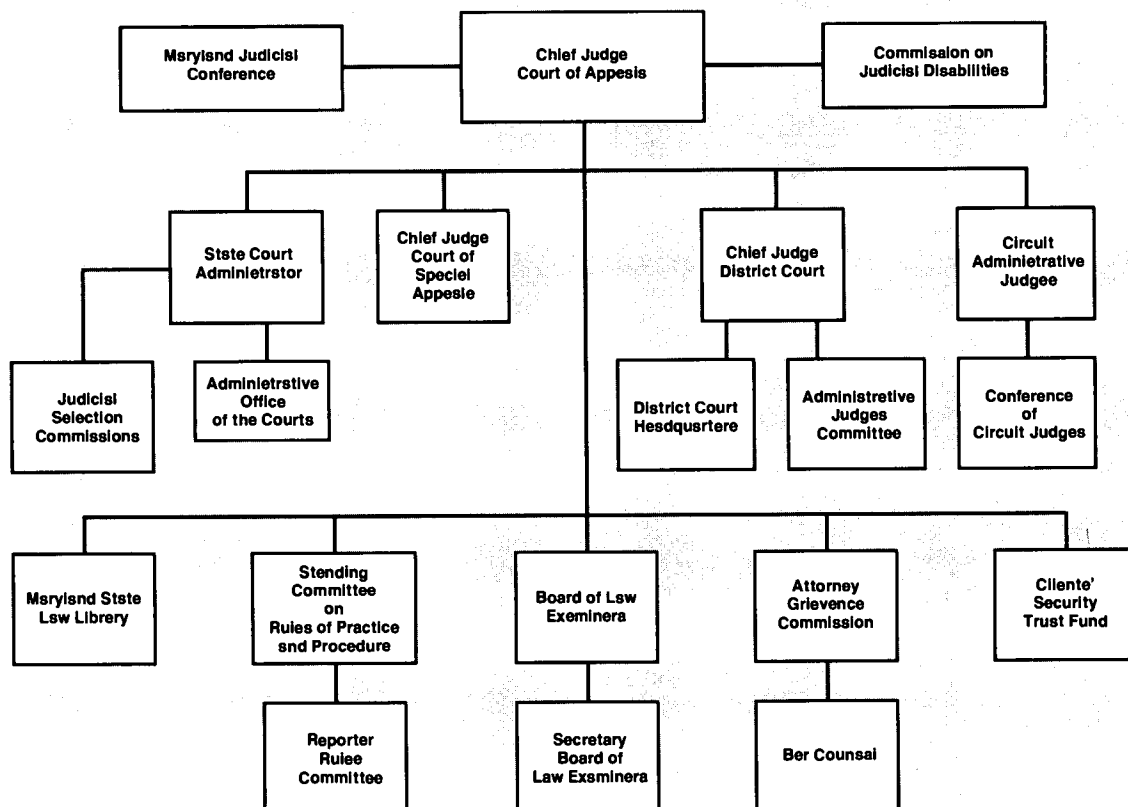
The project to automate the circuit courts progressed to the point of vendor selection and definition of specifications. The implementation of the pilot phase will begin in FY '89. Cooperative efforts by the Administrative Office of the Courts and the State Comptroller's Office, who are joint sponsors of the project, will continue over a multi-year period. The quality of the data that will be generated from the proposed system will greatly enhance the accuracy of statistics from the circuit courts. Also, the system analysis and design has been completed for the criminal system that tracks offenders through the

Circuit Court for Baltimore City. Programming will commence during the first quarter of FY '89 with the project completion scheduled for the first quarter of FY '90.

Enhancements to the District Court Traffic and Criminal System continued with improved management reporting as well as statistics relating to DWI offenses. Also, within the criminal and traffic system, a warrant system was implemented that allows for inquiry of warrants issued within the system. There are presently in excess of 20,000 warrant transactions processed on an annual basis. A change in the traffic and warrant system was requested by the State of Maryland Motor Vehicle Administration (SMVA) that accommodates the larger driver license numbers generated by such states as New York and New Jersey. Analysis and on-line programming specifications were completed for a new District Court Civil System with programming expected to commence in July 1988 and project completion expected in the first quarter of FY '90. Requirements Analysis, a Conceptual Design, an Automation Plan, and basic detailed requirements for a District Court Bar Code/Scanning Project affecting both the criminal and traffic systems were initiated. Areas such as commissioner activities, docketing and accounts receivable were demonstrated to adminis-

trative judges in the third quarter of FY '88. A further analysis was implemented dealing with affected groups such as State's attorneys, law enforcement, and court clerks to allow for their inclusion in the requirements analysis. This project, which will have far-reaching effects in alleviating some of the burdensome paperwork associated with many court activities, is expected to be implemented statewide in the first quarter of FY '90. This tremendous improvement in methodology, not only in hardware and software but also in procedures, requires an extensive training program before implementation.

There has been an ever increasing demand for attorneys to be given inquiry access to information systems maintained by the Judicial Data Center (JDC) on cases in process by the Circuit Court for Baltimore City as well as the District Court. Based on this need, as well as the requirement for JDC to be operationally on-line 24 hours/day, 7 days/week, certain telecommunications modifications were implemented. This allowed for enhanced reliability of the network in addition to improved dial-up communications. Implementation of this network in June 1988 allowed those attorneys involved in asbestos litigation, specifically in the greater Baltimore area, access to information through telephone lines utilizing their own



Administrative Organization

intelligent work stations. The Judicial Information Systems Unit is continuing analysis to determine future impact to the Judiciary by allowing attorneys the capability to file documents within the courts in addition to extended dial-up access.

Judicial Special Projects

The Special Projects section meets operational needs of the State courts and the Administrative Office of the Courts. It also performs research and analytical projects at the request of the Chief Judge of the Court of Appeals. The Sentencing Guidelines section is an additional responsibility of the Special Projects section.

This section provides assistance and coordination of the Judicial Nominating Commissions Orientation Conference for the new members of the various nominating commissions, conducts the election of the attorney members of the nominating commissions and also provides staff to the various nominating commissions when a judicial vacancy occurs.

Staff was provided for the Judicial Conference Civil Committee. The *Policy and Procedures Manual* is routinely updated throughout the year.

The *Annual Report of the Maryland Judiciary 1986-1987* was prepared by this unit in conjunction with the Judicial Research and Planning section.

Judicial Research and Planning Services

Providing research and management information pertaining to the operations of the Maryland court system is one of the primary functions of the Judicial Research and Planning Unit in the Administrative Office of the Courts. Among its regularly assigned duties, the unit is responsible for: the annual compilation and preparation of workload data on all court levels for the *Annual Report of the Maryland Judiciary*; the annual preparation of statistical analyses pertaining to judgeship needs found in the Chief Judge's (of the Court of Appeals) *Certification of the Need for Additional Judgeships*; the annual preparation of *The Report to the Legislature on Wiretapping and Electronic Surveillance*; the monthly preparation of the *Sixty-Day Reserved Case Report* on all circuit courts in Maryland; the quarterly preparation of judicial workload reports; the compilation of fiscal research data including circuit court personnel and budget information and the costs to operate the circuit courts; the annual preparation of data and analyses found in the *AOC Equal Employment Opportunity and Affirmative Action Program*; and the maintenance of the docket of "out-of-state" attorneys granted or denied special admission to practice under Rule 20 of the Bar Admission Rules.

Over the past several years, staff members in the unit have participated in and conducted a number of research projects at the requests of the Chief Judge of the Court of Appeals and the State Court Administrator. On April 1, 1988, Governor Schaefer

signed a new Executive Order which reorganized judicial nominating commissions throughout the State. Staff from the unit assisted in the reorganization which involved the orientation of new commission members, the election of lawyer members to trial court commissions and the development of a new training manual. The unit also contributed significant staff support to several judicial committees. These included: Judicial Ethics Committee—Proposed Code of Conduct for Judicial Appointees; Ciotola Committee—A special eight-member judicial committee studying District Court jury trial prayers; and an Adoption Subcommittee of the Maryland Judicial Conference studying uniform procedures in independent adoptions. In Fiscal Year 1989, staff support to Judicial Conference Committees and the Appellate and Trial Court Judicial Nominating Commissions will continue along with involvement in other projects.

Judicial Administrative Services

The Judicial Administrative Services office prepares and monitors the annual Judiciary budget, excluding the District Court of Maryland. All accounts payable for the Judiciary are processed through this office and accounting records for revenues and accounts payable are kept by the staff in cooperation with the General Accounting Department of the State Comptroller's Office. Payroll activities and the working fund account are also the responsibility of the Judicial Administrative Services staff. Records must be maintained in order for the legislative auditor to perform timely audits on the fiscal activities of the Judiciary. As of July 1, 1986, the Administrative Office accounting system was totally automated, compatible with that of the Comptroller's Office.

General supplies and equipment are purchased by this office. Staff also prepare and solicit competitive bids on all major equipment, furniture, and supplies. This section, along with the Department of General Services, ensures that the Courts of Appeal building is maintained.

Inventory controls as of July 1, 1987, were established for all furniture and equipment used by the Judiciary, which is an automated control system. All inventory will have bar codes that will be recorded by an operator using a scanning device which will automatically record furniture or equipment into the system. Other responsibilities include maintaining lease agreements for all leased property, monitoring the safety and maintenance records of the Judiciary automobile fleet, and performing special projects as directed by the Chief Judge of the Court of Appeals.

Judicial Personnel Services

The Judicial Personnel Unit continues its research in the areas of employee relations and refinement of procedures and processes for the timely recognition of personnel and their achievements. New programs

have been developed in the areas of service and performance awards and are ready for implementation.

The past year has been spent in the improvement of the computerized Time and Attendance Reporting System to reflect changes mandated by legislation. The system in its present state is believed to be the most complete in terms of the types of information it provides to both management and employees. Several executive branch agencies have now adopted our time and attendance system. To agencies without main-frame or mini-computers, we are down-loading the program to make it usable on personal computers with 3.5 inch or 5.25 inch drive systems.

As a service to prospective retirees, the Personnel Unit now provides each with an estimate of social security benefits to aid in the retirement planning process. This micro-computer based software program computes old age, death and disability benefits under any Social Security law in effect since June 1978. Initial response to the new service has been overwhelming.

We have reviewed our human resources information system now in place and have found that it can be substantially improved by the adoption of new software which has a proven track record. The system we plan to adopt is able to generate 50 standard menu-driven reports with the capability of many more custom reports generated on an *ad hoc* basis utilizing standard commercially available software. The use of this type of software is relatively easy because one is able to create a wide variety of reports quickly without programming. The use of such software eliminates the use of in-house programming personnel which can be quite costly and whose services could best be used programming complex solutions for main-frame and mini-computer application.

The Judicial Personnel Unit will continue to explore all of the new technologies both in terms of hardware and software in the human resources information system areas for possible use. Only in this way will we be able to provide management and employees with the most efficient and effective personnel services they need and deserve.

Sentencing Guidelines

For most criminal cases originating in the Maryland circuit courts, guidelines are used to provide judges with information to help them in sentencing and to create a record of all sentences imposed for particular offenses and types of offenders. The guidelines were developed and are evaluated by the judges in consultation with representatives from other criminal justice and related governmental agencies and the private bar. At the direction of the Sentencing Guidelines Board, staff monitor the use of guidelines to ensure the completeness and accuracy of the data used to review and update the guidelines.

Ongoing training in the use of the guidelines exists in several forms. All appointees to the circuit court receive an orientation regarding the function and use



Fort McHenry, Baltimore City

of sentencing guidelines. At the annual Judicial Institute, there is an opportunity for new judges to ask questions that may have arisen during their first months of using guidelines. An instructional videotape is available for every jurisdiction and is sent upon request. As work sheets are edited, requests for missing information are returned to the circuit. Once returned to the Sentencing Guidelines department, this data is added to the main file for future analysis.

The revised Sentencing Guidelines manual has been distributed and affects all criminal felony sentencing for all crimes committed on or after July 1, 1987. Any crime committed prior to that date is sentenced by using the earlier edition of the manual.

There is a special committee to study the possibility of Sentencing Guidelines for DWI cases. This committee is composed of judges from both the circuit and District Courts as well as representatives from related government agencies and MADD.

Liaison with the Legislative and Executive Branches

The budget is one example of an important area of liaison with both the executive and legislative branches, since judiciary budget requests pass through both and must be given final approval by the latter. In a number of other areas, including the support of or opposition to legislation, the appointment of judges, and criminal justice and other planning, close contact with one or both of the other branches of government is required. On occasion, liaison with local government is also needed. On a day-to-day working level, this liaison is generally supplied by the State Court Administrator and other members of the Administrative Office staff as well as staff members of District Court headquarters. With respect to more fundamental policy issues, including presentation of the State of the Judiciary Message to the General Assembly, the Chief Judge takes an active part. The Chairman of the Conference of Circuit Judges and the Chief Judge of the District Court also participate in liaison activities as appropriate.

Circuit Court Administration

Most of the activities affecting circuit court administration are covered in other sections of this report. Such areas include: analysis of the nature and extent of the circuit court caseload, additional judgeships, assignment of active and former judges, subjects covered by the Conference of Circuit Judges, and legislation enacted in 1988 affecting the circuit courts.

The 1986-1987 Annual Report reported that the statewide assessment of data processing needs of the clerks' offices, primarily where data processing was minimally in place, was completed. During the period covered by this report, reviews of proposals from several vendors to address these needs were completed, a selection made and contract awarded to provide the necessary hardware, system software and applications software. As of this report, a Data Processing Steering Committee, consisting of clerks, representatives from the Administrative Office of the Courts, State's Attorneys Association, Department of Public Safety, and the Comptroller's Office are designing a system to implement in two pilot sites, namely in Anne Arundel County for case scheduling and assignment and in Carroll County for land records and financial applications.

Locally, the Circuit Court for Prince George's County is enhancing its extensive existing use of data processing in a number of areas. It is installing terminals in judges' offices which will provide word and data processing capabilities and be connected to the county's office automation network. One of the features will permit electronic mail communication between the court and the county government. In addition, the terminals will permit judges to have access into the case management systems for case-

related and docket-related information. Also, the court is completing the automation of the assignment component of its case management system and updating its automated jury selection and management system and has reduced the jury term from two weeks to one.

Statewide, a number of circuit courts engaged in space programs which have called for the completion of expanded facilities or the renovation of existing areas. The Prince George's County Upper Marlboro Justice Facility, consisting of a State multi-purpose building, is now in the design stage. Charles County and St. Mary's County Circuit Courts likewise are involved in expansion of their respective courthouses. Finally, court facilities in the two buildings in Baltimore City are undergoing considerable renovations with the addition of new courtrooms, chambers, jury rooms, lawyer conference rooms, installation of elevators, and renovation of a juvenile detention room. An important feasibility study for the comprehensive restoration and renovation of the Clarence M. Mitchell, Jr., Courthouse is getting under way.

District Court of Maryland

by the Chief Judge of the District Court of Maryland
Robert F. Sweeney

The only purpose of any judicial system is, and must be, the promotion of justice, and no court should ever operate for the purpose of producing revenues.

And yet, there must be a business side to the Court, for the judges and nonjudicial personnel who labor in the Court must be provided with the facilities in which to perform their duties, and the equipment, furniture and supplies necessary for their work. Additionally, judges and nonjudicial personnel alike must be properly compensated, like other officers and employees of State government, and a mechanism must be in place to see that they are provided with appropriate benefits.

Also, a process must be in place to see that cases are handled properly from filing through adjudication, and procedures are necessary to ensure that the tens of millions of dollars collected by the Court each year in costs and fines are properly accounted for, safeguarded and transmitted to the Treasury of the State of Maryland.

The 1971 implementing legislation for the District Court provided for a Chief Judge, 78 trial judges and 678 clerks, commissioners, bailiffs, constables and secretaries divided among Maryland's 23 counties and Baltimore City. In the first year of operation, 778,000 cases were filed in the Court. The original budget for the Court was \$9,852,000, and the Court's revenues in its first full year of operation amounted to \$11,400,000. Down through the years there has been an increase in every aspect of the Court's operation. The budget for 1988, just concluded, was \$46,797,000; Court revenues increased to \$47,731,000. The total caseload was 1,876,000, more than double the original

figures, with the traffic caseload for the first time in the State's history exceeding 1,000,000 citations issued.

It is a remarkable compliment to the quality of the judges and nonjudges in the District Court to note that while the caseload has more than doubled during the seventeen year life of the Court, there has been only a 23 percent increase in the number of judges and a 39 percent increase in our complement of nonjudicial personnel. In Fiscal 1972, the first year of operation, each of the 73 judges then sitting tried an average of 3,800 cases, and the Court's nonjudicial personnel each processed an average of 1,148 cases. In Fiscal 1988, just concluded, the 90 trial judges of the District Court tried an average of 5,600 cases, and there were 1,972 cases processed for each nonjudicial employee in the Court.

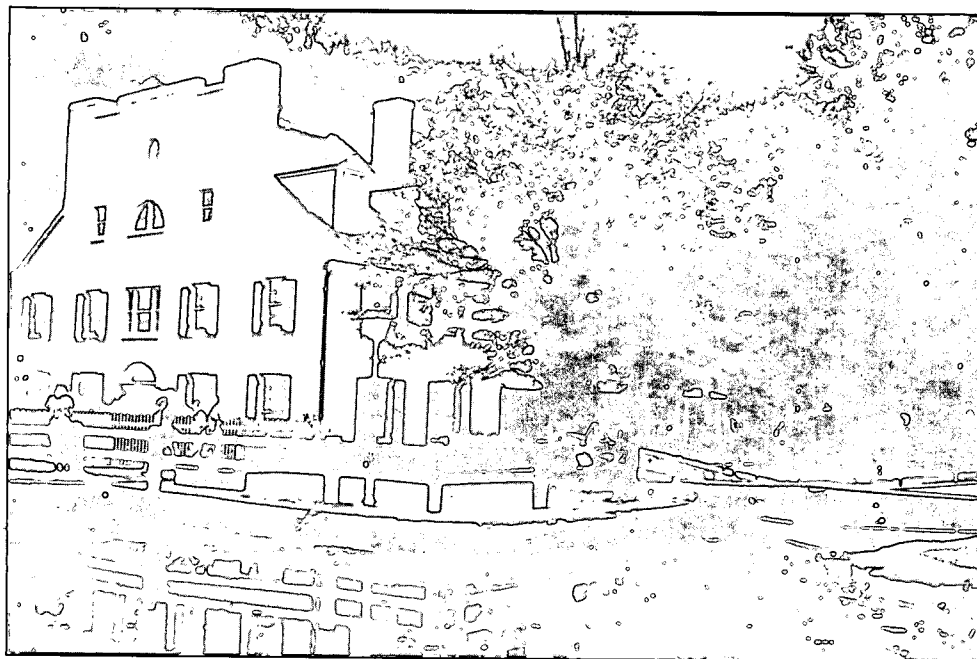
The increase in cases tried per judge and cases processed per clerk is attributable to many factors. First and foremost is the quality and dedication of

the judges and employees. Second is improved working conditions, facilities and equipment. Thirdly is the utilization of the most modern computer and data processing techniques in the country, brought about by the concerted efforts of the administrators of the Court, the Judicial Information Systems of the Administrative Office of the Courts, and the Court's personnel in the field.

The data processing systems now in place in the District Court for the handling of motor vehicle and criminal cases have received attention and praise nationwide from courts beset with similar problems, and we are beginning to implement similar computer techniques with the Court's heavy civil caseload. Moreover, the Court is beginning the implementation of a bar coding system, now in use by only one or two of the courts in the nation, which should further serve to expand the capabilities of the Court's existing work force, while reducing the burdens on those dedicated individuals.



Calvert Cliffs

*C&O Canal, Montgomery County*

Assignment of Judges

Under Article IV, § 18(b) of the Maryland Constitution, the Chief Judge of the Court of Appeals has authority to make temporary assignments of active judges to the appellate and trial courts. In addition, pursuant to Article IV, § 3A and § 1-302 of the Courts Article, the Chief Judge, with approval of a majority of the judges of the Court of Appeals, recalls former judges to sit in courts throughout the State.

Section 1-302 of the Courts Article sets forth certain conditions that limit the extent to which a former judge can be recalled. Yet, this reservoir of available judicial manpower has been exceedingly helpful since the legislation was first enacted eleven years ago. Using these judges enhances the court's ability to cope with existing caseloads, extended illnesses and judicial vacancies. This is accomplished without calling upon active full-time judges and, thus, disrupting schedules and delaying case disposition. In Fiscal 1988, assistance to the circuit courts was provided primarily by former judges. However, the Circuit Administrative Judges, pursuant to the Maryland Rules, moved judges within their circuits and exchanges of judges between circuits took place where there was a need to assign judges outside the circuit to handle specific cases. Further, assistance to the circuit courts was provided by judges of the District Court in Fiscal 1988. This assistance consisted of 292 judge days of which 178 were provided to the Circuit Court for Baltimore City.

A pool of former judges eligible to be recalled to the circuit courts sat for the greatest number of judge days since the legislation was enacted. In the area of pretrial settlement, an effort which began last

fiscal year in two of the circuit courts, retired judges acting as settlement masters in civil money-damage suits and some domestic disputes, mediated the settlement of cases without the necessity of a trial. This was expanded with funds appropriated by the legislature in Fiscal Year 1988 and amounted to 315 judge days. In addition, the Chief Judge of the Court of Appeals, with the approval of the court, recalled several former circuit court judges and three former appellate judges to serve in the circuit courts for 307 judge days for the reasons already given.

The Chief Judge of the District Court pursuant to constitutional authority, made assignments internal to that Court to address unfilled vacancies, backlog, and illnesses. In Fiscal 1988, these assignments totaled 500 judge days. In addition, the Chief Judge of the Court of Appeals recalled 16 former District Court judges to sit in that Court totaling 583 judge days.

At the appellate level, the maximum use of available judicial manpower continued in Fiscal 1988. The Court of Special Appeals caseload is being addressed by limitations in oral argument, assistance by a central professional staff, and a prehearing settlement conference. The Chief Judge of the Court of Appeals exercised his authority by designating appellate judges to sit in both appellate courts to hear specific cases and four former appellate judges were recalled to assist both courts for a total of 150 judge days.

Finally, a number of judges of the Court of Special Appeals were designated to different circuit courts for various lengths to assist those courts in handling the workload, particularly during the summer months. Some Court of Special Appeals judges assisted the District Court as well.

Court-Related Units

Court-Related Units

Board of Law Examiners

In Maryland, the various courts were originally authorized to examine persons seeking to be admitted to the practice of law. The examination of attorneys remained a function of the courts until 1898 when the State Board of Law Examiners was created (Chapter 139, Laws of 1898). The Board is presently composed of seven lawyers appointed by the Court of Appeals.

The Board and its staff administer bar examinations twice annually during the last weeks of February and July. Each is a two-day examination of not more than twelve hours nor less than nine hours' writing.

Commencing with the summer 1972 examination and pursuant to rules adopted by the Court of Appeals, the Board adopted, as part of the overall examination, the Multistate Bar Examination. This is the nationally recognized law examination consisting of multiple-choice type questions and answers, prepared and graded under the direction of the National Conference of Bar Examiners. The MBE test now occupies the second day of the examination with the first day devoted to the traditional essay examination, prepared and graded by the Board. The MBE test is now used in forty-eight jurisdictions. It is a six-hour test that

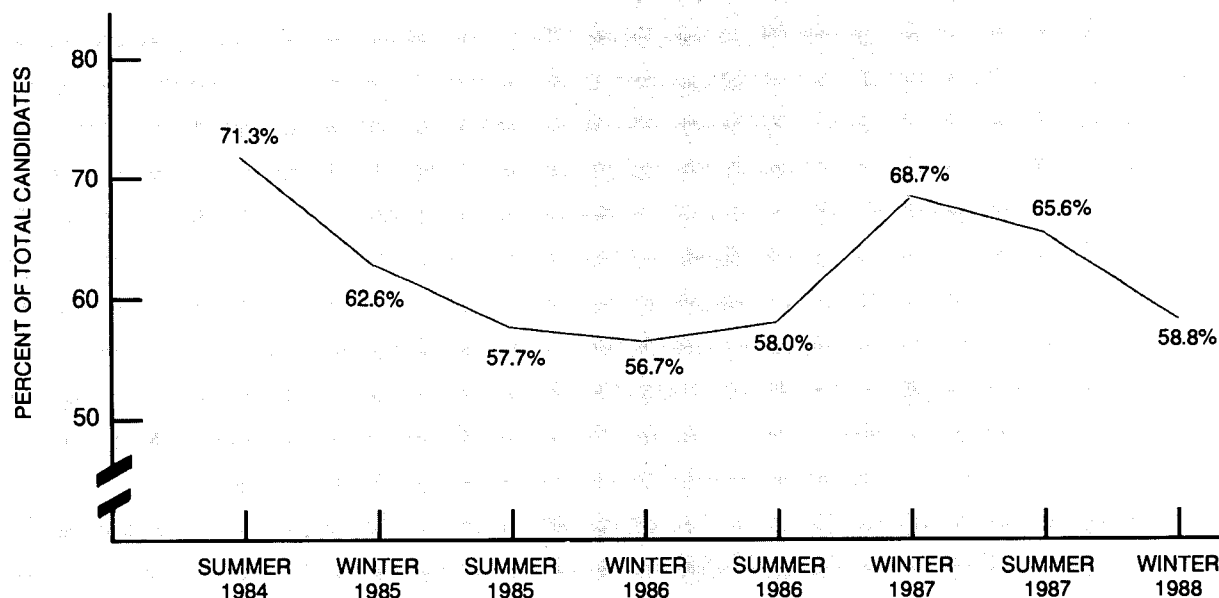
covers six subjects: contracts, criminal law, evidence, real property, torts, and constitutional law.

Maryland does not participate in the administration of the Multistate Professional Responsibility Examination (MPRE) prepared under the direction of the National Conference of Bar Examiners.

Pursuant to the Rules Governing Admission to the Bar, the subjects covered by the Board's test (essay examination) shall be within, but need not include, all of the following subject areas: agency, business associations, commercial transactions, constitutional law, contracts, criminal law and procedure, evidence, Maryland civil procedure, property and torts. Single questions on the essay examinations may encompass more than one subject area and subjects are not specifically labeled on the examination paper.

Beginning with the July 1983 examination, by amendment to the Rules of the Court of Appeals of Maryland governing admission to the bar, the subject of professional responsibility was added to the list of subjects on the Board's essay test.

The results of the examinations given during Fiscal Year 1988 are as follows: a total of 1099 applicants sat for the July 1987 examination with 721 (65.6 percent) obtaining a passing grade, while 586 sat for



Ratio (percent) of successful candidates to total candidates taking the bar examination

the February 1988 examination with 345 (58.8 percent) being successful. Passing percentages for the two previous fiscal years are as follows: July 1985, 57.7 percent and February 1986, 56.7 percent; July 1986, 58.0 percent and February 1987, 68.6 percent.

In addition to administering two regular bar examinations per year, the Board also processes applications for admission filed under Rule 14 which governs out-of-state attorney applicants who must take and pass an attorney examination. That examination is an essay type test limited in scope and subject matter to the rules in Maryland which govern practice and procedure in civil and criminal cases and also the Rules of Professional Conduct. The test is of three hours' duration and is administered on the first day of the regularly scheduled bar examination.

Commencing with the February 1985 attorney examination, the revised Maryland Rules of Procedure,

which became effective July 1, 1984, were used. They were also used on the regular bar examination.

The new Maryland Rules of Professional Conduct were effective January 1, 1987. These new Rules were used on both the Attorney Examination and the regular bar examination commencing with the February 1987 examinations.

At the Attorney Examination administered in July 1987, 94 applicants took the examination for the first time along with ten who had been unsuccessful on a prior examination for a total of 104 applicants. Out of this number, 88 passed. This represents a passing rate of 84.6 percent.

In February 1988, 103 new applicants took the examination for the first time along with ten applicants who had been unsuccessful on a prior examination for a total of 113 applicants. Out of this number, 98 passed. This represents a passing rate of 86.7 percent.

The State Board of Law Examiners

Charles H. Dorsey, Jr., Esquire; Chairman; Baltimore City Bar
 William F. Abell, Jr., Esquire; Montgomery County Bar
 John F. Mudd, Esquire; Charles County Bar
 Robert H. Reinhart, Esquire; Allegany County Bar
 John W. Sause, Jr., Esquire; Queen Anne's County Bar
 Jonathan A. Azrael, Esquire; Baltimore City Bar
 Pamela J. White, Esquire; Baltimore City Bar

Results of examinations given by the State Board of Law Examiners during Fiscal Year 1988 are as follows:

Examination	Number of Candidates	Total Successful Candidates	Number of Candidates Taking First Time	Number of Candidates Passing First Time*
SUMMER 1987 (July)	1,099	721 (65.6%)	916	648 (70.7%)
Graduates University of Baltimore	232	152 (65.5%)	194	141 (72.6%)
Graduates University of Maryland	206	148 (71.8%)	178	139 (78.0%)
Graduates Out-of-State Law Schools	661	421 (63.6%)	544	368 (67.6%)
WINTER 1988 (February)	586	345 (58.8%)	287	202 (70.3%)
Graduates University of Baltimore	122	77 (63.1%)	44	38 (86.3%)
Graduates University of Maryland	101	52 (51.4%)	42	29 (69.0%)
Graduates Out-of-State Law Schools	363	216 (59.5%)	201	135 (67.1%)

*Percentages are based upon the number of first-time applicants.

Rules Committee

Under Article IV, Section 18(a) of the Maryland Constitution, the Court of Appeals is empowered to regulate and revise the practice and procedure in, and the judicial administration of, the courts of this State; and under Code, Courts Article, § 13-301, the Court of Appeals may appoint "a standing committee of lawyers, judges, and other persons competent in judicial practice, procedure or administration" to assist the Court in the exercise of its rule-making power. The Standing Committee on Rules of Practice and Procedure, often referred to simply as the Rules Committee, was originally appointed in 1946 to succeed an ad hoc Committee on Rules of Practice and Procedure created in 1940. Its members meet regularly to consider proposed amendments and additions to the Maryland Rules of Procedure and to submit recommendations for change to the Court of Appeals.

Completion of the comprehensive reorganization and revision of the Maryland Rules of Procedure continues to be the primary goal of the Rules Committee. Phase I of this project culminated with the adoption by the Court of Appeals of Titles 1, 2, 3, and 4 of the Maryland Rules of Procedure, which became effective July 1, 1984. The Committee is currently working on Phase II of the project, which involves the remainder of the Maryland Rules, Chapters 800 through 1300.

The Ninety-seventh Report, concerning the new rules of appellate procedure, was pending at the end of the last fiscal year. The Court of Appeals adopted the rules proposed in the Ninety-seventh Report by Order of November 19, 1987, to become effective July 1, 1988. That Order was published in the MARYLAND REGISTER, Vol. 14, Issue 26 (December 18, 1987).

During the past year, the Rules Committee submitted to the Court of Appeals certain rules changes and additions considered necessary. Pursuant to the Ninety-eighth Report, the Court of Appeals adopted emergency changes effective July 1, 1987, to Rule 4-343, Sentencing—Procedure in Capital Cases. The purpose of the changes was to conform Rule 4-343 with Code, Article 27, §§ 412 and 413 as amended by the General Assembly in 1987, and with decisions of the Court of Appeals, especially *Mills v. State*, 310 Md. 33 (1987).

The Ninety-ninth Report, published in the MARYLAND REGISTER, Vol. 15, Issue 6 (March 11,

1988), contains a proposed revision of the Rules Governing Admission to the Bar and conforming amendments to Rules BV2 and 1228. This Report is still under consideration by the Court.

The One Hundredth Report, published in the MARYLAND REGISTER, Vol. 15, Issue 7 (March 25, 1988), contains a proposed new Title 6 of the Maryland Rules of Procedure, Settlement of Decedents' Estates. This Report is still under consideration by the Court.

The One Hundredth First Report, published in the MARYLAND REGISTER, Vol. 15, Issue 7 (March 25, 1988), contained a number of proposed new Rules and some amendments to existing Rules. Among the more significant items were proposed new Rule S73A, concerning mediation of child custody and visitation disputes, and amendments to Rules 4-214, Defense Counsel, and 4-271, Trial Date, concerning the appearance of counsel in criminal cases transferred from the District Court to the circuit court upon a demand for jury trial. The Court of Appeals adopted the 101st Report by Order of June 3, 1988, with an emergency effective date of July 1, 1988. That Order was published in the MARYLAND REGISTER, Vol. 15, Issue 13 (June 17, 1988).

Pursuant to the One Hundred Second Report, the Court of Appeals re-adopted Rule 2-512(h), Jury Selection—Peremptory Challenges, without change, on an emergency basis. The Order re-adopting Rule 2-512(h) is published in the MARYLAND REGISTER, Vol. 15, Issue 11 (May 20, 1988).

Finally, pursuant to the One Hundred Third Report, the Court of Appeals adopted, on an emergency basis, new Rule 6-101, Actual Notice to Creditors, effective June 3, 1988. This Rule was necessitated by the United States Supreme Court's decision in *Tulsa Professional Collection Services v. Pope*, __ U.S. __, 108 S.Ct. 1340 (1980). Considering a challenge by a decedent's creditor to the Oklahoma "nonclaim" statute, which is similar in relevant part to Maryland Code, Estates and Trusts Article, § 8-103, the Court held that due process required the personal representative of an estate, in addition to complying with statutory requirements for publication notice, to provide actual notice of the pendency of the estate proceedings and the time for filing claims to creditors whose names and addresses were "known or reasonably ascertainable." New Rule 6-101 articulates these constitutional requirements. The Order adopting it was also published in the June 17, 1988, issue of the MARYLAND REGISTER.

The Standing Committee on Rules of Practice and Procedure

Hon. Alan M. Wilner, Chairman; Court of Special Appeals

Hon. Francis M. Arnold, District Court, Carroll County

Hon. Walter M. Baker, State Senator, Cecil County

Lowell R. Bowen, Esq., Baltimore City Bar

Professor Robert R. Bowie, Talbot County Bar

Albert D. Brault, Esq., Montgomery County Bar

Hon. Howard S. Chasanow, Circuit Court for Prince George's County

D. Warren Donohue, Esq., Montgomery County Bar

Ms. Audrey B. Evans, Clerk, Circuit Court for Calvert County

Hon. James S. Getty, Court of Special Appeals (retired)

John O. Herrmann, Esq., Baltimore City Bar

Hon. William S. Horne, State Delegate, Talbot County

H. Thomas Howell, Esq., Baltimore City Bar

Harry S. Johnson, Esq., Baltimore City Bar

Alexander G. Jones, Esq., Somerset County Bar

Hon. Joseph H.H. Kaplan, Administrative Judge, Circuit Court for Baltimore City

James J. Lombardi, Esq., Prince George's County Bar

Anne C. Ogletree, Esq., Caroline County Bar

Hon. Kenneth C. Proctor, Circuit Court for Baltimore County (retired); *Emeritus*

Roger D. Redden, Esq., Baltimore City Bar

Linda M. Richards, Esq., Baltimore City Bar

Alan M. Rifkin, Esq., Chief Legislative Officer

Hon. Mary Ellen T. Rinehardt, District Court, Baltimore City

Melvin J. Sykes, Esq., Baltimore City Bar

Una M. Perez, Esq., Reporter

Sherie B. Libber, Esq., Assistant Reporter

State Law Library

The objective of the Maryland State Law Library is to provide an optimum level of support for all the legal and general reference research activities of the Court of Appeals, Court of Special Appeals, and other court-related units within the Judiciary. A full range of information services is also extended to every branch of State government and to citizens throughout Maryland.

Originally established by an act of the legislature in 1827, the Library is now governed by a Library Committee whose powers include appointment of the director of the Library as well as general rule-making authority.

With a collection in excess of 233,000 volumes, this specialized facility offers researchers access to three distinct and comprehensive libraries of law, general reference/government publications and Maryland history and genealogy. Of special note are the Library's holdings of state and federal government publications which add tremendous latitude to the scope of research materials found in most law libraries. An additional research tool available to court and other State legal personnel is Mead Data Central's computer-assisted legal research service, Lexis/Nexis.

Over the past four years, the Library has made substantial improvements to its collections. The Library now contains holdings of all the out-of-state codes, appellate court rules and official state court reports. The United States Supreme Court records and briefs on microfiche have been added since the 1980 Term. Additionally, during FY 1988 a major federal income tax reference work, BNA's Tax Management Portfolio, was added to the law collection along with a subscription to microfilm reels of the State Capital's daily newspaper, *The Capital*. The Library also microfiched the important and not widely accessible collection of *Maryland Judicial Conference Proceedings, 1951-1983* and has initiated an ongoing filming project for many of the Gubernatorial and Legislative Task Force and Study Commission reports in the collection.

The Library has been upgrading its Maryland legislative history files and has gathered a complete collection of these task force and study commission reports. The Legislative Committee files microfilmed by the Department of Legislative Reference are also being acquired on a piecemeal basis. Currently, the Library has a complete file for 1978-1983. Additional materials added to the collection over the past year include Attorney General opinions from every state, on microfiche, commencing in 1978 to date; and a large collection of Ph.D. dissertations and Masters theses on various law and social science topics on Maryland.

Following in the footsteps of law libraries and library systems throughout the country, the Library has initiated an automation program designed to

facilitate its information giving functions and internal work processes. A COMPAC 286 AT system is in place and such functions as wordprocessing, database creation, and indexing have been designed and are being utilized for various projects. JIS Micros Systems is assisting the Library in its automation plan implementation which will eventually include automating all aspects of the serials control functions, book acquisitions, and generating an automated information and referral file for use by the reference staff at the information center.

A significant addition of compact, mobile shelving was made during the fiscal year which has doubled the shelving capacity of the Library's basement area collections.

On-line cataloging and reclassification of the entire collection continue to be a high priority effort. The Library began participating in a cooperative cataloging program with a number of State publication depository libraries this past year. In all, some 4,346 titles have been processed on OCLC during Fiscal 1988.

Technical assistance was provided to four circuit court libraries in the further development of their library services. Consultations included collection development, collection cataloging, insurance appraisal, library design, space planning, and information on computer-assisted legal research systems.

During the past year, the Library continued to participate in RSVP (Retired Senior Volunteer Program) through Anne Arundel County. This program has provided the Library with a number of part-time volunteers who have initiated and completed a number of important indexing and clerical projects.

The Library once again participated in the Field Study Program sponsored by the Graduate School of Library and Information Sciences of the University of Maryland, which afforded the Library a student intern who compiled legislative history information on the 1988 handgun bill and coordinated the Library's Law Day activities. In addition, the Library also participated in the Anne Arundel County Board of Education's High School Alternative Credit Program for the first time which provided a gifted high school student with practical work experience in a discipline of interest to the student. An extensive bibliography on the National High School Debate topic on the U.S. Government's foreign policy in Central America was researched, produced and distributed by this intern to all High School English Departments in the county.

Publications issued by the Library included a guide to conducting legislative history research in Maryland entitled *Ghosthunting: Finding Legislative Intent in Maryland, A Checklist of Sources*; revised 1988 bibliographies entitled *Sources of Basic Genealogical Research in the Maryland State Law Library: A Sampler*; *Divorce in Maryland*; and *DWI: Where to Find the Law in Maryland*. Also included in the Library's previous

output are: *Self-Help Law: A Sampler*; *The U.S. and Maryland Constitutions: Some Basic Sources*; and *The Maryland Court of Appeals: A Bibliography of Its History*.

Members of the staff continue to be active on the lecture circuit, addressing high school and college classes, and professional organizations on the basics of legal research techniques and also appearing before genealogy societies to discuss the collections and services available from the Library.

The Library continued its efforts in assisting various groups in celebrating the bicentennial of the U.S. Constitution and Maryland's ratification of that document. Also during the past year, the Library held its second open house in conjunction with National Law Day activities held May 1 of each year. This year's theme, "Legal Literacy," was especially appropriate for public law libraries to encourage use of law collections by citizens as one way to begin addressing the problem of becoming literate in the law. As a part of these activities, the Library also coordinated the showing of a unique courtroom art exhibit in the Courts of Appeal Building lobby.

Located on the first floor of the Courts of Appeal Building, the Library is open to the public Monday, Wednesday, Friday, 8:30 a.m.—4:30 p.m.; Tuesday and Thursday, 8:30 a.m.—9:00 p.m.; and Saturday, 9:00 a.m.—4:00 p.m.

Summary of Library Use Fiscal 1988

Reference inquiries	20,240
Volumes circulated to patrons	3,220
Interlibrary loan requests filled	1,405

Attorney Grievance Commission

By Rule of the Court of Appeals, the Attorney Grievance Commission was created in 1975 to supervise and administer the discipline and inactive status of lawyers. The Commission consists of eight lawyers and two lay persons appointed by the Court of Appeals for four-year terms. No member is eligible for reappointment for a term immediately following the expiration of the member's service for one full term of four years. The Chairman of the Commission is designated by the Court. Members of the Commission serve without compensation.

The Commission appoints, subject to approval of the Court of Appeals, a lawyer to serve as Bar Counsel, the principal executive officer of the

disciplinary system, and supervises the activities of Bar Counsel and his staff. Duties of the Bar Counsel and his staff include investigation of all matters involving possible misconduct, the prosecution of disciplinary proceedings, and investigation of petitions for reinstatement. The staff, in addition to Bar Counsel, includes a Deputy Bar Counsel, four Assistant Bar Counsel, four investigators, an office manager, and six secretaries.

The Commission is working on computerizing its files to make statistical record-keeping easier as the Commission's workload increases. The Commission is currently entering into agreements with various Maryland banking institutions in compliance with the new BU Rules effective January 1, 1989, dealing with overdrafts in attorney trust accounts.

The Court of Appeals established a disciplinary fund to cover expenses of the Commission and provided for an Inquiry Committee and Review Board to act upon disciplinary complaints. The fund is endowed by an annual assessment upon members of the bar as a condition precedent to the practice of law. An increase in attorney assessments was necessary for Fiscal Year 1989 in order to meet budgeted expenditures approved by the Court of Appeals.

The Inquiry Committee consists of approximately 368 volunteers, one-third of whom are non-lawyers and two-thirds lawyers, each appointed for a three-year term and eligible for reappointment. The lawyer members are selected by local bar associations. Non-lawyer members are selected by the Commission.

The Review Board consists of eighteen persons, fifteen of whom are attorneys and three of whom are non-lawyers from the State at large. Members of the Review Board serve three-year terms and are ineligible for reappointment. The Board of Governors of the Maryland State Bar Association selects the attorney members for the Review Board. The Commission selects the non-lawyer members. Judges are not permitted to serve as members of the Inquiry Committee or the Board.

The Commission received a total of 1,165 matters classified as inquiries in Fiscal Year 1986-87 compared with 1,119 in Fiscal Year 1987-88. Formal docketed complaints reflected a substantial decrease from 412 in Fiscal Year 1986-87 to 273 in Fiscal Year 1987-88. A fewer number of open complaints await action at the close of the current fiscal year compared with the last fiscal year.

The number of lawyers disbarred this past fiscal year was ten compared to nineteen last fiscal year.

Bar Counsel continues to devote his personal efforts to more complex cases as well as to administrative functions. In August of 1988, Melvin Hirshman, our Bar Counsel, will be installed as President of the National Organization of Bar Counsel. The organization is composed of disciplinary counsel who serve throughout the United States. Mr. Hirshman previously served as Treasurer, Secretary and President-elect of the organization.

Summary of Disciplinary Action

	1983 -84	1984 -85	1985 -86	1986 -87	1987 -88
Inquiries Received (No Misconduct)	903	988	1,028	1,119	1,165
Complaints Received (Prima Facie Misconduct Indicated)	364	295	369	412	273
Totals	1,267	1,283	1,397	1,531	1,438
Complaints Concluded	315	319	285	373	302
Disciplinary Action Taken by No. of Attorneys:					
Disbarred	5	8	7	11	3
Disbarred by Consent	7	3	13	8	7
Suspension	7	11	12	12	13
Public Reprimand	4	3	6	3	3
Private Reprimand	13	7	9	14	7
Placed on Inactive Status	1	2	1	3	1
Dismissed by Court	7	7	2	6	2
Petitions for Reinstatement Granted	1	2	0	2	0
Petitions for Reinstatement Denied	0	0	0	2	3
Resignation	0	0	0	1	0
Resignation w/Prejudice	0	1	0	0	0
Total No. of Attorneys	45	44	50	62	39

The Commission provides financial support to the Lawyer Counseling program of the Maryland State Bar Association, Inc. Complaints against lawyers often result from mental illness, dependence on alcohol or drugs or poor office procedures. The counseling program is designed to aid lawyers with these problems. Bar Counsel finds that referrals to that program prove helpful in avoiding more serious disciplinary problems. The Commission also provides investigative services for Maryland's Clients' Security Trust Fund.

The Commission and Bar Counsel communicate with Maryland lawyers and the public through articles on disciplinary subjects in the *Maryland Bar Journal*. In addition, Bar Counsel and staff attorneys speak at continuing legal education seminars, bar association meetings, lay groups, law firms, and before court-related agencies. Bar Counsel also responds to radio and press interviews. The Commission maintains a

toll-free number of incoming calls from anywhere within Maryland for the convenience of complainants and volunteers who serve in the system.

Efforts continue to inform lawyers and clients of sources of disciplinary complaints. Increasing awareness of problem areas in the practice should reduce unintended infractions of disciplinary rules. The increase in the combined number of inquiries and complaints is attributed to an increasing number of lawyers admitted to practice.

Violation of the Maryland Rules of Professional Conduct, effective January 1, 1987, are the major source of complaints to the Commission. There are still a few complaints received which concern conduct which occurred prior to January 1, 1987, governed by the prior Code of Professional Responsibility.

Clients' Security Trust Fund

The Clients' Security Trust Fund was established by an act of the Maryland Legislature in 1965 (Code, Article 10, Sec. 43). The statute empowers the Court of Appeals to provide by rule for the operation of the Fund and to require from each lawyer an annual assessment as a condition precedent to the practice of law in the State of Maryland. Rules of the Court of Appeals that are now in effect are set forth in Maryland Rule 1228.

The purpose of the Clients' Security Trust Fund is to maintain the integrity and protect the name of the legal profession. It reimburses clients for losses to the extent authorized by these rules and deemed proper and reasonable by the trustees. This includes losses caused by misappropriation of funds by members of the Maryland Bar acting either as attorneys or as fiduciaries (except to the extent to which they are bonded).

Seven trustees are appointed by the Court of Appeals from the Maryland Bar. One trustee is appointed from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit. One additional lay trustee is appointed by the Court of Appeals from the State at large. Trustees serve on a staggered seven-year basis.

The Fund began its twenty-second year on July 1, 1987, with a fund balance of \$1,245,995.71, as compared to a fund balance of \$1,262,497.54 for July 1, 1986.

The Fund ended its twenty-second year on June 30, 1988, with a fund balance of \$1,429,922.43 as compared to a fund balance for the year ending June 30, 1987, of \$1,245,995.71.

At their meeting of July 9, 1987, the trustees elected the following members to serve as officers through the fiscal year ending June 30, 1988: Victor H. Laws, Esq., Chairman; Carlyle J. Lancaster, Esq., Vice Chairman; Vincent L. Gingerich, Esq., Secretary; and Isaac Hecht, Esq., Treasurer.

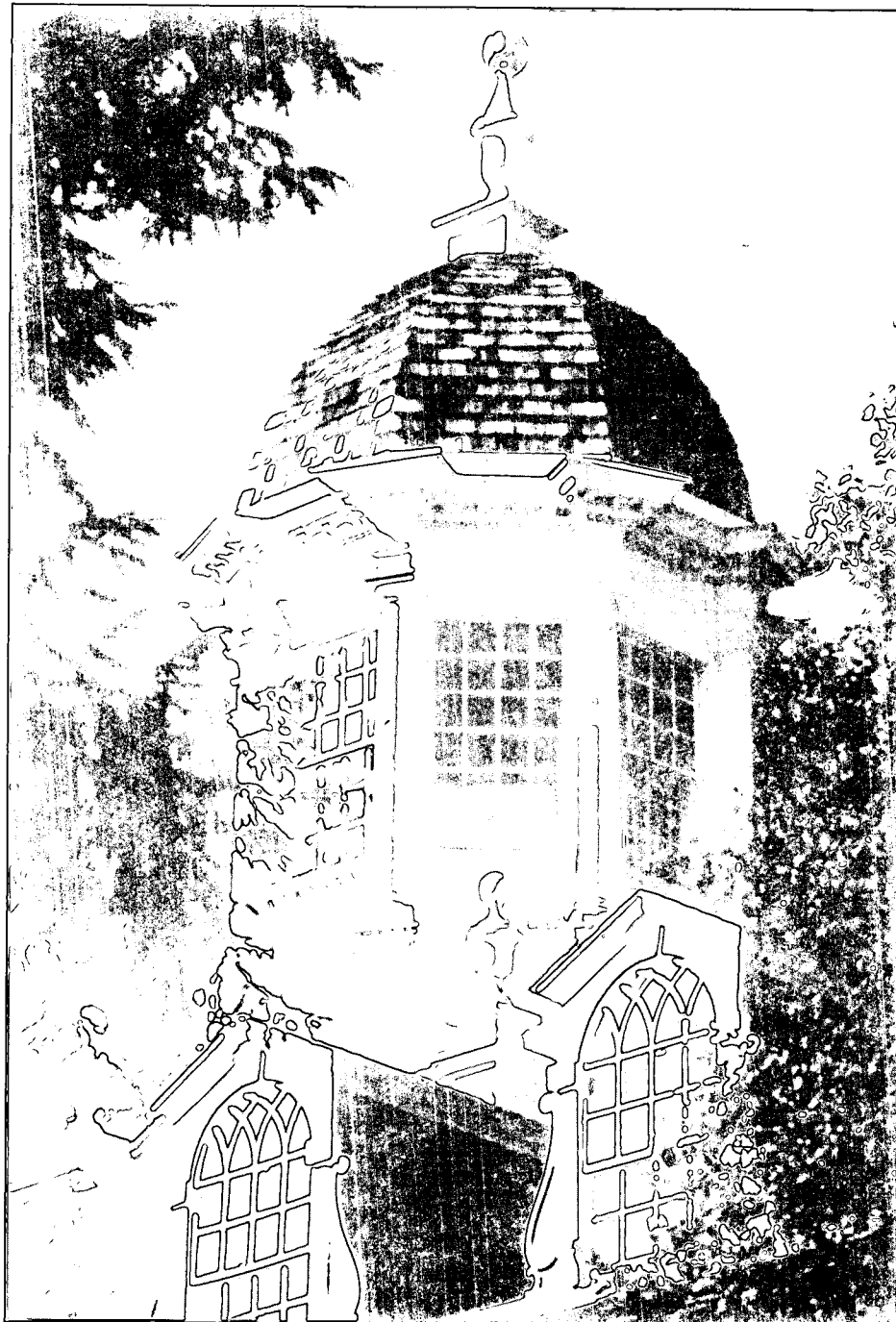
During the fiscal year July 1, 1987 through June 30, 1988, the trustees met on five occasions and during the fiscal year, the trustees paid claims amounting to \$78,904.11. There are thirty-six (36) pending claims with a current liability exposure approximating \$1,175,543.00. These claims are in the process of investigation.

During the fiscal year ending June 30, 1988, the Fund derived the sum of \$299,694.88 from assessments, as compared with the sum of \$151,974.00 for

the preceding fiscal year.

On June 30, 1988, the end of the current fiscal year, there were 18,202 lawyers subject to annual assessments. Of this number, 108 attorneys have failed to pay.

In accordance with the Maryland Rules of Procedure, the nonpaying attorneys' names will be stricken from the list of practicing attorneys in this State—after certain procedural steps have been taken by the trustees.



Hampton House, Baltimore County

Judicial Conferences

Judicial Conferences

The Maryland Judicial Conference

The Maryland Judicial Conference was organized in 1945 by the Honorable Ogle Marbury, then Chief Judge of the Court of Appeals. It currently exists under provisions of Maryland Rule 1226, which direct it "to consider the status of judicial business in the various courts, to devise means for relieving congestion of dockets where it may be necessary, to consider improvements of practice and procedure in the courts, to consider and recommend legislation, and to exchange ideas with respect to the improvement of the administration of justice in Maryland and the judicial system in Maryland."

The Conference consists of 220 judges of the Court of Appeals, the Court of Special Appeals, the circuit courts for the counties and Baltimore City, and the District Court of Maryland. The Chief Judge of the Court of Appeals is its chairman; the State Court Administrator is the executive secretary. The Conference meets annually in plenary session. Between these sessions, its work is conducted by an Executive Committee and by a number of other committees, as established by the Executive Committee in consultation with the Chief Judge. In general, the chairmen and members of these committees are appointed by the chairman of the Executive Committee in consultation with the Chief Judge. The various committees are provided staff support by personnel of the Administrative Office of the Courts.

The Executive Committee

The Executive Committee consists of 17 judges elected by their peers from all court levels in the State. The Chief Judge of the Court of Appeals serves as an ex-officio non-voting member. It elects its own chairman and vice-chairman. Its major functions are to "perform the functions of the Conference" between plenary sessions and to submit "recommendations for the improvement of the administration of justice" in Maryland to the Chief Judge of the Court of Appeals, the Court of Appeals, and the full Conference as appropriate. The Executive Committee may also submit recommendations to the Governor, the General Assembly, or both of them. These recommendations are transmitted through the Chief Judge of the Court of Appeals and are forwarded to the Governor or General Assembly, or both, with any comments or additional recommendations deemed appropriate by the Chief Judge or the Court.

At its first meeting in July 1987, the Executive Committee elected the Honorable John J. Bishop, Jr.,

Associate Judge, Court of Special Appeals, as its chairman, and the Honorable J. Frederick Sharer, Associate Judge of the Circuit Court for Allegany County, as its vice-chairman.

The Executive Committee met almost monthly and planned the 1988 Maryland Judicial Conference and reviewed the work of the various committees. The Executive Committee referred many matters to the General Assembly for action.

Meeting of the Maryland Judicial Conference

The Forty-third Annual Meeting of the Maryland Judicial Conference was held on May 5th and 6th, 1988, at the Greenbelt Hilton and Towers, Greenbelt, Maryland.

Reports of the Conference committees were presented at the business meeting. The only report requiring action was submitted by the Judicial Ethics Committee which had been working on a revision of the Code of Conduct for Masters, Examiners, Auditors, Referees and District Court Commissioners similar to the new code for judges which was effective July 1, 1987. The Honorable Martin B. Greenfeld, Chair of the Judicial Ethics Committee, presented the proposed code of conduct advising the Conference that the code had been made available for comment from judges, members of the bar and the general public. A resolution was unanimously adopted recommending that the Court of Appeals adopt by rule the Maryland Code of Conduct for Judicial Appointees as proposed by the Judicial Ethics Committee.

On the second day, the Honorable Hilary D. Caplan, Chair of the Special Joint Committee on Gender Bias in the Courts, presented a status report to the Conference with Lynn Hecht Schafran, Esquire, Director of the National Judicial Education Program to Promote Equality for Men and Women in the Courts, discussing the Maryland Experience.

Conference members also participated in group discussions of recent Maryland appellate decisions. They selected from six group sessions on different cases involving: handling the capital case, cause of action for fraud, emotional distress or negligence-genital herpes, invasion of privacy, self representation/hybrid representation, DWI-punitive damages and evidence-exceptions to hearsay rule.

In the afternoon, AIDS and the Maryland Courts was the topic with Dr. Ford Brewer, Chief Medical Examiner with the Department of Public Safety and Correctional Services, discussing the Medical Perspective. The Judicial Perspective was discussed by the

Honorable Peter J. Messitte, Emery A. Plitt, Jr., Esquire, an assistant attorney general with the Department of Public Safety and Correctional Services, continued with the Corrective Perspective, and Dr. Gillian Van Blerk, Director of AIDS Administration of the Department of Health and Mental Hygiene, spoke on the Court Environment Perspective.

Conference of Circuit Judges

The Conference of Circuit Judges was established pursuant to Maryland Rule 1207 to make recommendations on the administration of the circuit courts. Membership includes the eight Circuit Administrative Judges and one judge elected from each of the eight circuits for a two-year term. The chair is also elected by the Conference for a two-year term. In Fiscal 1988, the Conference met four times to address various concerns of the circuit court judges. The following highlights some of the important matters considered by the Conference.

1. Meetings with Executive Department Officials.

The Conference met with representatives of the Mental Hygiene Administration of the Department of Health and Mental Hygiene for a presentation on the new presentence psychiatric investigation program for which funds had been recently appropriated. The Administration expressed the view that there is a void in providing assistance to the circuit courts desiring a psychiatric/psychological evaluation of defendants prior to sentencing. The program will be instituted first in the District Court and subsequently in a pilot site in the circuit courts. It is intended to supplement, not replace, presentence investigations conducted by the Maryland Division of Parole and Probation.

2. Endorses Study to Develop Uniform Procedures for Handling Adoptions.

Adverse publicity about non-uniformity in handling adoptions in the circuit courts, particularly private placement, generated considerable Conference discussion about how these proceedings are presently being handled, particularly by attorneys who apparently are getting big fees for handling the matters in highly questionable ways. The Conference unanimously endorsed a comprehensive examination of this matter and referred the subject to the Juvenile and Family Law Committee of the Maryland Judicial Conference with a request that it advise the Conference of its findings and recommendations.

3. Supports Legislation.

The Conference continued to express its support for and opposition to various legislative proposals, including support for Maryland Judicial Conference legislation. Again, the Conference reaffirmed its strong support for legislation to remove circuit judges from the contested election process and permit a retention election. Judicial Conference legislation supported by the Conference and enacted is reported in the section

of this report entitled *1988 Legislation Affecting the Courts*.

4. Endorses Recommendations on the Study of the Increased Number of Prayers for Jury Trials from the District Court.

As reported in the last Annual Report, the Conference was alarmed by the percentage of the criminal docket in the circuit courts that was comprised of jury trial prayers from the District Court. This was having an adverse impact on the expeditious disposition of criminal cases in the circuit courts. A report on the study of the impact of the increased number of jury trials was reviewed by the Conference. The report made several recommendations attempting to remedy the situation. The Conference endorsed almost all the recommendations, some of which called



Black-eyed Susans

for the introduction of legislation, others called for changes to the Maryland Rules. Legislation introduced to limit jury trials in the circuit courts was unsuccessful in the 1988 Session. A Rule to provide for the automatic entering of the appearance of counsel in the circuit court when the defendant prays a jury trial with counsel in the District Court was enacted by the Court of Appeals. The Conference will continue to monitor this problem.

5. Urges Rule Changes.

The Conference referred to the Standing Committee on Rules of Practice and Procedure of the Court of Appeals various proposals that amend certain Maryland Rules. One such proposal dealt with Rule 1314 applicable to cases heard *de novo* in the circuit courts. There was discussion on the steps to take place by the courts when a defendant fails to appear for trial in the circuit courts on a *de novo* appeal. The existing Rule contains provisions as to what is to occur when a defendant fails to appear for trial. The discussion was prompted because of what had occurred in one circuit court where a defendant failed to appear for a preliminary inquiry set by the court under its local procedures. The defendant failed to appear at the preliminary inquiry and the court issued a bench warrant. When the defendant appeared voluntarily, he was taken into custody pursuant to the bench warrant and brought before the court. An officer did not appear for trial and the appeal was dismissed. Generally the circuit courts do not issue bench warrants simply for a failure to appear. But if a defendant was sentenced to a period of incarceration in the District Court and the defendant fails to appear at the circuit court, the appeal is dismissed, but the court will issue a bench warrant so that sentence of incarceration is executed. The Conference recommended an amendment to Rule 1314 to permit a dismissal of an appeal if a defendant fails to appear for trial or for any other reason in response to a court directive.

6. Other Matters.

There were many other matters discussed and considered by the Conference during this period covering different aspects of the administration of justice in the circuit courts. As has been stated in past reports, this report can only summarize some of the matters considered and acted upon. Many of the subjects presented to the Conference for discussion are still pending and await further consideration by the Conference.

Administrative Judges Committee of the District Court

**by the Chief Judge of the District Court of Maryland
Robert F. Sweeney**

The Administrative Judges Committee of the District Court, unlike its counterpart, the Conference of Circuit Judges, was not established by rule of the Court of

Appeals, but arose almost inherently from the constitutional and statutory provisions which created the District Court of Maryland in 1971.

Under Article IV of the Maryland Constitution and the implementing legislation in the Courts and Judicial Proceedings Article, the District Court is a single, statewide entity. The Chief Judge is responsible for the maintenance, administration, and operation of the District Court at all of its locations throughout the State, with constitutional accountability to the Chief Judge of the Court of Appeals. The administrative judges in each of the District Court's twelve districts are in turn responsible to the Court's Chief Judge for the administration, operation, and maintenance of the District Court in their respective district.

To enable these thirteen constitutional administrators to speak with one voice, the Chief Judge formed the Administrative Judges Committee when the Court began in 1971. In 1978, when Maryland Rule 1207 was amended to provide for election of some of the members of the Conference of Circuit Judges, he provided for the biannual election of five trial judges of the District Court to serve on the Committee with the District Court's twelve administrative judges. The Chief Judge, *ex-officio*, serves as Chairman of this Committee.

At its quarterly meetings during Fiscal 1988, the Committee acted on more than half a hundred items. Among the more significant were:

- (1) Agreed on uniform standards pertaining to cancellations of evictions during extreme weather conditions;
- (2) Clarification of procedures concerning bail reviews for individuals arrested on bench warrants;
- (3) Implementation of policy that an individual may be refused a new trial after he failed to appear for his original trial, when he has not taken any action to satisfy his obligations to the Court within 90 days;
- (4) Unanimously approved a system of bar coding to improve the efficiency and accuracy of data collection in the District Court system and eliminate redundancies in the collection of data;
- (5) Increased the filing fee in summary ejectment cases from \$3 to \$7;
- (6) Established preset fines for newly created violations of the motor vehicle and natural resources law;
- (7) Eliminated the right to waive trial by paying a preset fine for violations of the natural resources law which carry the possibility of a jail sentence; and
- (8) Made revisions to the schedule of preset fines for certain existing violations of the motor vehicle and natural resources laws.

The Administrative Judges Committee also reviewed and made recommendations to the Executive Committee and other committees of the Maryland Judicial Conference and to the General Assembly on bills affecting the operation and administration of the District Court.

Appointment, Discipline, and Removal of Judges

Appointment, Discipline, and Removal of Judges

Under the Maryland Constitution, when a vacancy in a judicial office occurs, or when a new judgeship is created, the Governor normally is entitled to appoint an individual to fill the office.

The Constitution also provides certain basic qualifications for judicial office. These include: Maryland citizenship; residency in Maryland for at least five years and in the appropriate circuit, district or county, for at least six months; registration as a qualified voter; admission to practice law in Maryland; and the minimum age of 30. In addition, a judicial appointee must be selected from those lawyers "who are most distinguished for integrity, wisdom, and sound legal knowledge."

Although the Constitution sets forth these basic qualifications, it provides the Governor with no guidance as to how he is to go about exercising his discretion in making judicial appointments. Maryland governors have themselves filled that gap, however, by establishing Judicial Nominating Commissions.

Judicial Nominating Commissions

Before 1971, Maryland governors exercised their powers to appoint judges subject only to such advice as a particular governor might wish to obtain from bar associations, legislators, lawyers, influential politicians, or others. Because of dissatisfaction with this process, as well as concern with other aspects of judicial selection and retention procedures in Maryland, the Maryland State Bar Association for many years pressed for the adoption of some form of what is generally known as "merit selection" procedures.

In 1970, these efforts bore fruit when former Governor Marvin Mandel, by Executive Order, established a statewide Judicial Nominating Commission to propose nominees for appointment to the appellate courts, and eight regional Trial Court Nominating Commissions to perform the same function with respect to trial court vacancies. These nine commissions began operations in 1971. However, in 1988, the Judicial Nominating Commissions were restructured in such a way so as to allow each county with a population of 100,000 or more to have its own Trial Courts Nominating Commission. Out of that restructuring came fourteen commissions, known as Commission Districts, in addition to the Appellate Judicial Nominating Commission. Each judicial vacancy filled pursuant to the governor's appointing power is filled from a list of nominees submitted by a Nominating Commission.

As presently structured, under an Executive Order issued by Governor William Donald Schaefer, effective March 31, 1988, each of the fifteen commissions consists

of six lawyer members elected by other lawyers within designated geographical areas; six lay members appointed by the Governor; and a chairperson, who may be either a lawyer or a lay person, appointed by the Governor. The Administrative Office of the Courts acts as a secretariat to all commissions and provides them with staff and logistical support.

When a judicial vacancy occurs or is about to occur, the Administrative Office of the Courts notifies the appropriate commission and places announcements in *The Daily Record*. Notice of the vacancy is also sent to the Maryland State Bar Association and the local bar association.

The Commission then meets and considers the applications and other relevant information, such as recommendations from bar associations or individual citizens. Each candidate is interviewed either by the full Commission or by the Commission panels. After discussion of the candidates, the Commission prepares a list of those it deems to be "legally and professionally most fully qualified" for judicial office. This list is prepared by secret written ballot. No Commission may vote unless at least 10 of its 13 members are present. An applicant may be included on the list if he or she obtains a majority of votes of the Commission members present at a voting session. The list is then forwarded to the Governor who is bound by the Executive Order to make his appointment from the Commission list.

During Fiscal 1988, 14 vacancies occurred. This compares to 15 vacancies in Fiscal 1987. The accompanying table gives comparative statistics pertaining to vacancies, number of applicants, and number of nominees over the past nine fiscal years. In reviewing the number of applicants and the number of nominees, it should be noted that under the Executive Order, a pooling system is used. Under this pooling system, persons nominated as fully qualified for appointment to a particular court level are automatically submitted again to the Governor, along with any additional nominees, for new vacancies on that particular court that occur within 12 months of the date of initial nomination. The table does not reflect these pooling arrangements. It shows new applicants and new nominees only.

All seven vacancies on the circuit court were filled during the fiscal year. Three appointments were from the District Court bench, three appointments were from the private bar and the remaining appointment was from the public sector.

The six District Court vacancies were also filled during the fiscal year. Four of the appointments were from the public sector while the other two appointments were from the private bar.

Judicial Nominating Commission Statistics
Judicial Vacancies and Nominees from Fiscal 1980 to Fiscal 1988

		Court of Appeals	Court of Special Appeals	Circuit Courts/ Supreme Bench	District Court	TOTAL
FY 1980	Vacancies	1	0	13	11	25 ^a
	Applicants	5	0	87	135	227
	Nominees	3	0	27	28	58
FY 1981	Vacancies	0	0	3	10	13 ^b
	Applicants	0	0	30	69	99
	Nominees	0	0	6	24	30
FY 1982	Vacancies	1	1	12	11	25 ^c
	Applicants	5	7	96	142	250
	Nominees	4	4	26	30	64
FY 1983	Vacancies	0	4	8	5	17 ^d
	Applicants	0	32	74	70	176
	Nominees	0	16	17	22	55
FY 1984	Vacancies	0	2	12	10	24 ^e
	Applicants	0	27	91	195	313
	Nominees	0	12	29	37	78
FY 1985	Vacancies	1	1	9	7	18 ^f
	Applicants	3	5	79	122	209
	Nominees	3	3	24	34	64
FY 1986	Vacancies	0	1	12	11	24
	Applicants	0	5	69	125	199
	Nominees	0	4	22	34	60
FY 1987	Vacancies	2	1	5	7	15 ^h
	Applicants	11	6	31	102	150
	Nominees	7	4	13	19 ^g	43
FY 1988	Vacancies	0	1	7	6	14 ⁱ
	Applicants	0	15	57	60	132
	Nominees	0	6	20	24	50

NOTE: Because of the pooling arrangements available under the Executive Order since Fiscal Year 1981, the number of applicants and nominees in that and subsequent years, may be somewhat understated. The numbers given in the chart do not include individuals whose names were available for consideration by the Governor pursuant to the pooling arrangement.

^a In Fiscal 1980, three new vacancies occurred during the fiscal year but were not filled during that year. Two vacancies that occurred in FY 79 were filled.

^b In Fiscal 1981, three vacancies were filled that had occurred in Fiscal 1980.

^c Three vacancies that occurred in FY 81 were filled in FY 82. Two vacancies that occurred in FY 82 were not filled until FY 83.

^d Five vacancies that occurred in FY 83 were not filled until FY 84.

^e Six vacancies that occurred in FY 84 were not filled until FY 85.

^f Two vacancies that occurred in FY 85 were not filled until FY 86.

^g A meeting for one District Court vacancy was not held until FY 88.

^h Three vacancies that occurred in FY 87 were not filled until FY 88.

ⁱ One vacancy that occurred in FY 88 was not filled until FY 89.

Judicial Nominating Commissions

as of September 1, 1988

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Removal and Discipline of Judges

Judges of the appellate courts run periodically in noncompetitive elections. A judge who does not receive the majority of the votes cast in such an election is removed from office. Judges from the circuit courts of the counties and Baltimore City must run periodically in regular elections. If a judge is challenged in such an election and the challenger wins, the judge is removed from office. District Court judges face Senate reconfirmation every ten years. A judge who is not reconfirmed by the Senate is removed from office. In addition, there are from six to seven other methods that may be employed to remove a judge from office:

1. The Governor may remove a judge "on conviction in a court of law for incompetency, willful neglect of duty, misbehavior in office, or any other crime..."
2. The Governor may remove a judge on the "address of the General Assembly" if two-thirds of each House concur in the address, and if the accused has been notified of the charges against him and has had an opportunity to make his defense.
3. The General Assembly may remove a judge by two-thirds vote of each House, and with the Governor's concurrence, by reason of "physical or mental infirmity..."
4. The General Assembly may remove a judge through the process of impeachment.
5. The Court of Appeals may remove a judge upon recommendation of the Commission on Judicial Disabilities.
6. Upon conviction of receiving a bribe in order to influence a judge in the performance of official duties, the judge is "forever ... disqualified for holding any office of trust or profit in this State" and thus presumably removed from office.
7. Article XV, § 2 of the Constitution, adopted in 1974, may provide another method to remove elected judges. It provides for automatic suspension of an "elected official of the State" who is convicted or enters a *nolo* plea for a crime which is a felony or which is a misdemeanor related to his public duties and involves moral turpitude. If the conviction becomes final, the officer is automatically removed from office.

Despite the availability of other methods, only the fifth one has actually been used within recent memory. Since the use of this method involves the Commission on Judicial Disabilities, which also has the power to recommend discipline less severe than removal, it is useful to examine that commission.

The Commission on Judicial Disabilities

The Commission on Judicial Disabilities was established by constitutional amendment in 1966 and

strengthened in 1970; its powers were further clarified in a 1974 constitutional amendment. The Commission is empowered to investigate complaints, conduct hearings, or take informal action as it deems necessary, provided that the judge involved has been properly notified. Its operating procedures are as follows: the Commission conducts a preliminary investigation to determine whether to initiate formal proceedings, after which a hearing may be held regarding the judge's alleged misconduct or disability. If, as a result of these hearings, the Commission, by a majority vote, decides that a judge should be retired, removed, censured or publicly reprimanded, it recommends that course of action to the Court of Appeals. The Court of Appeals may order a more severe discipline of the judge than that which the Commission recommended. In addition, the Commission has the power in limited situations to issue a private reprimand or merely a warning.

The Commission on Judicial Disabilities serves the public in a variety of ways. Its primary function is to receive, investigate and hear complaints against members of the Maryland judiciary. Formal complaints must be in writing and notarized, but no particular form is required. In addition, numerous individuals either write or call expressing dissatisfaction concerning the outcome of a case, or some judicial ruling. While some of these complaints may not fall technically within the Commission's jurisdiction, the complainants are afforded an opportunity to express their feelings and frequently are informed, for the very first time, of their right of appeal. Thus the Commission in an informal fashion offers an ancillary, though vital, service to members of the public.

During the past year, the Commission considered thirty-one formal complaints—of which three were initiated by practicing attorneys and the remainder by members of the public. Some complaints were directed against more than one judge and sometimes a single jurist was the subject of numerous complaints. In all, eleven judges at the District Court level, nineteen circuit court judges, and two sitting in Orphans' Courts were the subjects of complaints.

As in previous years, litigation over some domestic matter (divorce, alimony, custody) precipitated the most complaints (12), criminal cases accounted for ten and the remainder resulted from some civil litigation or the alleged improper demeanor of some jurist.

The Commission deals with formal complaints in a variety of ways. Tapes or transcripts of judicial hearings are often obtained. When pertinent, attorneys and other disinterested parties who participated in the hearings are interviewed. Sometimes, as part of its preliminary investigation, the Commission will request a judge to appear before it.

During the past year, two complaints were dismissed because the particular judges had resigned. In one instance, the resignation was precipitated by the filing of formal charges against the party in question. Several judges were requested to appear before the Commission to defend charges against them. In most instances, the complaints were dismissed either because the charges leveled were not substantiated or because they did not amount to a breach of judicial ethics. Matters were likewise disposed of by way of discussion with the jurist involved or by private reprimand. In one case where the Commission had previously recommended public censure of a District

Court judge, the Court of Appeals of Maryland agreed with the Commission's decision.

Finally, pursuant to Rule 1227 of the Maryland Rules, the Commission serves yet another function. It supplies judicial nominating commissions with confidential information concerning reprimands to or pending charges against those judges seeking nomination to judicial offices.

The Commission meets as a body irregularly, depending upon the press of business. Its seven members are appointed by the Governor and include four judges presently serving on the bench, two members of the bar for at least fifteen years, and one lay person representing the general public.



Deep Creek Lake, Garrett County

1988 Legislation Affecting the Courts

1988 Legislation Affecting the Courts

Among the bills enacted during the 1988 session of the Maryland General Assembly are several that make significant changes in the laws governing corporations and limited partnerships, a wide-ranging reorganization of most public higher education in Maryland, and a handgun law prohibiting the manufacture and sale of so-called "Saturday Night Specials." Some of the new laws that affect the Judiciary are summarized below. A more detailed summary of 1988 legislation is available from the Administrative Office of the Courts.

1. Judicial Conference Legislation

Judgeships—Chapter 473. Creates seven new judgeships, one each in the circuit courts in Baltimore City and Baltimore, Charles, Prince George's, and Wicomico Counties, and one each in Districts 4 (Charles County) and 5 (Prince George's County) of the District Court.

Qualification and Summoning of Jurors—Chapter 326. Permits jury commissioners to accomplish the qualification and summoning of potential jurors in a single procedure.

Bad Checks—Chapter 476. Makes it a misdemeanor to knowingly give a bad check in payment of fines and/or costs in the State's appellate or circuit courts.

2. Court Administration

District Court Clerks' Duties—Chapter 302. Requires clerks in District Court, upon request, to advise and assist a litigant on procedural matters in any small claims case (\$2,500 or less).

Expungement of Criminal Records—Chapter 592 authorizes a court to grant a petition for expungement at any time for good cause shown; Chapter 628 permits the filing of a petition for expungement of a probation before judgment either three years from the date of the judgment or the date of the person's discharge from probation, whichever is later; and Chapter 723 permits a person charged with a crime to petition for expungement immediately after the entry of a nolle prosequi (dismissal by the State's Attorney).

Prepayable Fines—Chapter 639. Authorizes the Chief Judge of the District Court to establish a schedule of prepayable fines for first offense misdemeanor violations of the Natural Resources Article of the Maryland Annotated Code in lieu of appearance in court, and also establishes procedures for warnings and additional fines and/or issuance of a warrant for failure to comply with a notice to appear.

Homeowners' Associations—Chapter 82. Requires clerks in each circuit court to maintain an indexed depository for certain documents required to be deposited by homeowners' associations.

State Holidays—Chapter 543. Requires courts and other State offices and facilities to remain open on three legal holidays: Lincoln's Birthday, February 12; Maryland Day, March 25; and Defenders' Day, September 12.

News Media Privilege—Chapter 113. Further limits the power of a court to compel a newsperson to disclose a news source or noncommunicated information.

3. Criminal Law and Procedure

Hearsay About Child Abuse—Chapters 548 and 549. Under certain circumstances, permit the admission into evidence of an out-of-court statement of a child victim under 12 made to a physician, psychologist, social worker, or teacher in a child abuse case.

Sale of Age Identification Cards—Chapter 415. Prohibits most sales or issuance of identification cards or documents with either a blank space for an age or an incorrect age.

Possession of Firearms by a Person with Mental Disorder—Chapter 690. Prohibits the possession of firearms by a person suffering from a mental disorder who has a history of violent behavior or who has been confined to a mental health facility for more than 30 consecutive days, absent a physician's certificate.

Religious and Ethnic Crimes—Chapters 601 and 786. Make it a crime to deface, damage, or destroy property of a religious institution, to obstruct by force or threat a person's free exercise of religion, and to harass or assault a person or to deface, damage, or destroy the person's property because of race, color, religious beliefs, or national origin.

Impersonating a Police Officer—Chapter 151. Makes it a misdemeanor to falsely represent that one is a police officer of any governmental entity in this or another State or to impersonate such an officer.

Wiretapping and Electronic Communications—Chapter 607. Makes widespread changes in the coverage, procedures, and penalties of the Maryland wiretap law.

Interference with a Horse Race—Chapter 200. Makes it a misdemeanor to interfere with the results

of a horse race, and increases the penalties for entering or racing a horse under other than its registered name.

First Degree Murder by a Minor—Chapter 418. Under certain circumstances, permits a sentence of life imprisonment without parole for a person under age 18 convicted of first degree murder.

First Degree Rape—Chapter 433. Designates as first degree rape any rape committed in connection with a housebreaking.

Subsequent Drug Offenses—Chapter 439. Increases the minimum penalties for second and subsequent convictions for drug offenses.

Assignment to Community Service—Chapter 477. Prohibits a court from assigning a person convicted of a violent crime to perform community service.

4. Civil Law and Procedure

Exemptions from Execution on Judgment—Chapter 600 increases the amount used to calculate the amount of wages exempt from attachment, except in a few counties; and Chapter 613 exempts from execution distributions to a participant or beneficiary from most retirement or pension plans. Not applicable to bankruptcy cases filed before January 1, 1988.

Landlord-Tenant Jurisdiction—Chapter 488. Authorizes the District Court to issue an injunction against a landlord upon proof by a tenant that the landlord has not made needed repairs within 90 days of the granting of the tenant's complaint.

Telephone Solicitations—Chapter 589. Makes unenforceable, as well as potentially subject to the consumer protection laws, a consumer contract arising from telephone solicitations unless the seller meets certain strict requirements. Not applicable to credit solicitations and security sales.

Required Mortgage Insurance—Chapter 693. Permits a mortgage borrower to petition for injunctive relief, attorney's fees, and damages if a lender requires property insurance coverage beyond the replacement value of the property.

Survival of Slander Actions—Chapter 359. Provides that an action for slander does not abate at the death of either party if an appeal is pending from a judgment in favor of the plaintiff.

5. Juvenile and Family Law

Domestic Violence—Chapter 112. Includes as "household members" in domestic violence cases nonspouses who have at least one minor child in common living with the petitioner.

Juvenile Services Agency Employees—Chapter 582. Repeals provisions for judicial direction, control, and

selection of Juvenile Services Agency employees performing certain services in connection with juvenile proceedings. The new law also provides that JSA will continue to supply the staff needed for the services required by the Court and will fully cooperate with the judges of the Juvenile Court in carrying out the objectives of the Court and the agency.

Modification of Child Support Awards—Chapter 338. Prohibits a court from modifying a child support award for a period prior to the filing date of a petition for modification.

Restitution—Chapter 686. In a juvenile restitution proceeding, provides that a bill or written statement of medical, dental, hospital, funeral, or burial expenses is prima facie evidence as to the fairness and reasonableness of the charges, and places the burden of rebuttal on the person challenging the charges.

Alcoholic Beverages Violations—Chapter 571. Authorizes a court to cite as a violation a person under 18 who obtains an alcoholic beverage or who induces the sale of such a beverage by misrepresentation of his or her age. Also subjects the juvenile to the delinquency laws and procedures and increases the fines a court may impose for violations of the alcoholic beverage laws by adults or juveniles.

6. Motor Vehicle Laws

Alcohol- and Drug-Related Offenses. The General Assembly enacted several bills designed to reduce the incidence of alcohol- and/or drug-related driving offenses. For example, Chapters 255 and 734 lower the blood-alcohol levels required to provide prima facie evidence of driving while intoxicated (from 0.13 to 0.10 percent) or driving under the influence (from 0.08 to 0.07 percent), and increase from 0.01 to 0.02 percent the blood-alcohol level for prima facie evidence that the defendant was driving with alcohol in his or her blood; Chapters 252 and 253 permit a court to prohibit a person from operating a motor vehicle without an ignition interlock system for up to three years as a condition of probation or as a sentence. The system precludes starting a vehicle if the driver's blood contains any alcohol; Chapter 254 requires the Motor Vehicle Administration to impose a restriction on every licensee under age 21 prohibiting driving with alcohol in the blood, and makes proof of a blood-alcohol level of 0.02 percent or more prima facie evidence that the licensee is driving in violation of that restriction; Chapter 53 increases the fines a court may impose for a third or subsequent conviction for driving while intoxicated; and Chapter 562 prohibits a court from ordering a second probation before judgment for a second or subsequent conviction of driving under the influence of drugs or drugs and alcohol.

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Definitions

Adoption, Guardianship—This includes all adoptions and guardianships including regular adoptions, guardianship with right to adoption and guardianship with right to consent to long-term care short of adoption. Guardianships of incompetents are reported in "Other—General."

Adult—A person who is 18 years old or older charged with an offense relating to juveniles to be heard in Juvenile Court. (See § 3-831 of Courts and Judicial Proceedings Article.)

Appeal—The resorting to a higher court to review, rehear, or retry a decision of a tribunal below. This includes appeals to the circuit court, the Court of Special Appeals, and the Court of Appeals.

Appeals to the circuit courts include:

1. Record—The judge's review of a written or electronic recording of the proceedings in the District Court.
2. De Novo—The retrial of an entire case initially tried in the District Court.
3. Administrative Agency—Appeals from decisions rendered by administrative agencies. For example:

Department of Personnel
County Commissioner
Department of Taxation and Assessments
Employment Security
Funeral Director
Liquor License Commissioners
Physical Therapy
State Comptroller (Sales Tax, etc.)
State Motor Vehicle Authority
Supervisors of Elections
Workmen's Compensation Commission
Zoning Appeals
Any other administrative body from which an appeal is authorized.

Application for Leave to Appeal—Procedural method by which a petitioner seeks leave of the Court of Special Appeals to grant an appeal. When it is granted, the matter addressed is transferred to the direct appeal docket of the Court for customary briefing and argument. Maryland statutes and Rules of Procedure permit applications in matters dealing with post conviction, inmate grievances, appeals from final judgments following guilty pleas, and denial of or grant of excessive bail in habeas corpus proceedings.

Case—A matter having a unique docket number; includes original and reopened (post judgment) matters.

Caseload—The total number of cases filed or pending with a court during a specific period of time. Cases may include all categories of matters (law, equity, juvenile, and criminal). Note: After July 1, 1984, law and equity were merged into a new civil category.

C.I.N.A.—Child in Need of Assistance—Refers to a child who needs the assistance of the court because:

1. The child is mentally handicapped or
2. Is not receiving ordinary and proper care and attention and
3. The parents, guardian or custodian are unable or unwilling to give proper care and attention.

C.I.N.S.—Child in Need of Supervision—Refers to a child who requires guidance, treatment or rehabilitation because of habitual truancy, ungovernableness or behavior that would endanger himself or others. Also included in this category is the commission of an offense applicable only to children.

Condemnation—The process by which property of a private owner is taken for public use without the owner's consent but upon the award and payment of just compensation.

Contested Confessed Judgment—The act of a debtor in permitting judgment to be entered by his creditor immediately upon filing of a written statement by the creditor to the court.

Contracts—A case involving a dispute over oral or written agreements between two or more parties.
Breaches of verbal or written contracts
Landlord/tenant appeals from District Court

Delinquency—Commission of an act by a juvenile which would be a crime if committed by an adult.

Disposition—Entry of final judgment in a case.

District Court—Contested—Only applies to civil, a case that has gone to trial and both parties (plaintiff and defendant) appear.

District Court Criminal Case—Single defendant charged per single incident. It may include multiple charges arising from the same incident.

District Court Filing—The initiation of a civil action or case in the District Court. District Court criminal and motor vehicle cases are reported as "processed" rather than as "filed."

Divorce, Nullity—A proceeding to dissolve a marriage. Original filings under this category include divorce a vinculo matrimonii, divorce a mensa et thoro, and annulment. A reopened case under this category includes hearings held after final decree or other termination in the original case. A

reopened case may involve review of matters other than the divorce itself as long as the original case was a divorce. (Examples of the latter may be a contempt proceeding for nonpayment of support, noncompliance with custody agreement, modification of support, custody, etc.)

Docket—Formal record of court proceedings.

Filing—Formal commencement of a judicial proceeding by submitting the necessary papers pertaining to it. Original filing under one docket number and subsequent reopenings under the same number are counted as separate filings.

Fiscal Year—The period of time from July 1 of one year through June 30 of the next. For example: July 1, 1987 to June 30, 1988.

Hearings

- **Criminal**—Any activity occurring in the courtroom, or in the judge's chambers on the record and/or in the presence of a clerk, is considered a hearing, except trials or any hearing that does not involve a defendant.

Examples of Hearings in Criminal

Arraignment
Discovery motion
Guilty plea
Motion to quash
Motion to dismiss
Motion for change of venue
Motion to continue
Motion to suppress
Motion to sever
Nolo contendere
Not guilty with agreed statement of facts
Sentence modifications
Violation of probation

- **Civil**—A presentation either before a judge or before a master empowered to make recommendations, on the record or in the presence of a clerk or court reporter, for purposes other than final determination of the facts of the case. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

Examples of Hearings in Civil

Motion to compel an answer to an
interrogatory
Motion ne recipiatur
Motion for judgment by default
Demurrer
Motion for summary judgment
Motion to vacate, open, or modify confession of judgment
Preliminary motions presented in court, including motions for continuance
Determination of alimony pendente lite, temporary custody, etc., in a divorce case
Contempt or modification hearings

- **Juvenile**—A presentation before a judge, master, or examiner on the record in the presence of

a clerk or court reporter. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

Examples of Hearings in Juvenile

Preliminary motions presented in court
Arraignment or preliminary inquiry
Detention (if after filing of petition)
Merits or adjudication
Disposition
Restitution
Waiver
Review
Violation of probation

Indictment—The product of a grand jury proceeding against an individual.

Information—Written accusation of a crime prepared by the State's Attorney's Office.

Jury Trial Prayer—Motor Vehicle—A request for trial by jury in the circuit court for a traffic charge normally heard in the District Court. To pray a jury trial in a motor vehicle case, the sentence must be for more than six months.

Jury Trial Prayer—Other (Criminal)—A request for a trial by jury in the circuit court for charges normally heard in the District Court, **except** traffic charges or nonsupport.

Miscellaneous Docket—Established and maintained primarily as a method of recording and identifying those preliminary proceedings or collateral matters before the Court of Appeals other than direct appeals.

Motor Torts—Personal injury and property damage cases resulting from automobile accidents. (This does not include boats, lawn mowers, etc., nor does it include consent cases settled out of court.)

Motor Vehicle Appeals—An appeal of a District Court verdict in a traffic charge.

Nolle Prosequi—A formal entry upon the record by the plaintiff in a civil suit, or the State's Attorney in a criminal case, to no longer prosecute the case.

Nonsupport—A criminal case involving the charge of nonsupport.

Original Filing—See "Filing."

Other Appeals (Criminal)—An appeal of a District Court verdict **except** one arising from a traffic charge or nonsupport.

Other Domestic Relations—Matters related to the family other than divorce, guardianship, adoption or paternity. Examples of this category include support, custody, and U.R.E.S.A. cases.

Other Civil/Other Equity—This category includes, among other things, injunctions, change of name, foreclosure, and guardianship of incompetent persons.

Other Law—This category includes, among other things, conversion, detinue, ejectment, issues from Orphans' Court, attachments on original process, and mandamus.

Other Torts—Personal injury and property damage cases resulting from:

- Assault and battery—an unlawful force to inflict bodily injury upon another.
- Certain attachments.
- Consent tort.
- False imprisonment—the plaintiff is confined within boundaries fixed by the defendant for some period of time.
- Libel and slander—a defamation of character.
- Malicious prosecution—without just cause an injury was done to somebody through the means of a legal court proceeding.
- Negligence—any conduct falling below the standards established by law for the protection of others from unreasonable risk of harm.

Paternity—A suit to determine fatherhood responsibility of a child born out of wedlock.

Pending Case—Case in which no final disposition has occurred.

Post Conviction—Proceeding instituted to set aside a conviction or to correct a sentence that was unlawfully imposed.

Reopened Filing—The first hearing held on a case after a final judgment on the original matter has been entered.

Stet—Proceedings are stayed; one of the ways a case may be terminated.

Termination—Same as “Disposition.”

Trials

• **Criminal**

Court Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant where one or more witnesses has been sworn.

Jury Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant, where the jury has been sworn.

• **Civil**

Court Trial—A contested hearing on any one or all merits of the case, presided over by a judge, to decide in favor of either party where testimony is given by one or more persons. Note: “Merits” is defined as all pleadings prayed by the plaintiff in the original petition that created the case. Divorce, custody, child support, etc., are examples that might be considered merits in a civil case.

Jury Trial—A contested hearing on the facts of the case to decide in favor of either party where the jury has been sworn.

Unreported Category—A case that has been reported but not specifically identified as to case type by the reporting court.



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